

Exhibit C

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SHANNON PHILLIPS, Plaintiff,	:	CRIMINAL ACTION NUMBER:
	:	19-19432
	:	
v.	:	
	:	
	:	
STARBUCKS CORPORATION d/b/a STARBUCKS COFFEE COMPANY, Defendant.	:	JURY TRIAL
	:	VOLUME 3
	:	PAGES 240 - 456

Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, New Jersey 08101
June 7, 2023
Commencing at 9:26 a.m.

B E F O R E: THE HONORABLE JOEL H. SLOMSKY,
UNITED STATES DISTRICT JUDGE

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25 Proceedings recorded by mechanical stenography; transcript
produced by computer-aided transcription.

1 A L S O P R E S E N T:

2

3 SHANNON PHILLIPS, Plaintiff

4 ROBYN RUDERMAN, ESQUIRE, Starbucks Corporation

5 MARCUS ECKENSBERGER, Starbucks Corporation

6 MATTHEW HIGGINS, Courtroom Deputy

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12 BY MS. MATTIACCI 388
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(PROCEEDINGS held in open court before The Honorable
JOEL H. SLOMSKY at 9:26 a.m.)

3 MR. HARRIS: Your Honor, before we bring out the
4 jury, I think there's an issue that I'd like to discuss with
5 the Court.

6 Ms. Phillips is currently on the stand, and the issue
7 that I'd like to discuss specifically deals with what I'm
8 going to cross-examine her on, so I'd ask that she be
9 sequestered for the purpose of this limited argument.

10 THE COURT: The system's not working in the
11 courtroom.

12 | (A discussion off the record occurred.)

13 MR. HARRIS: Judge, I'll start over.

14 So good morning. The issue that I'd like to discuss
15 with this Court this morning deals with an evidentiary issue
16 that has been discussed previously in terms of the videotape
17 production and the showing of the videotape.

Because of the very nature of that discussion, I
would ask that Ms. Phillips be sequestered because she's
currently on the stand, and it directly impacts her
cross-examination.

22 | THE COURT: You want her sequestered now?

23 MR. HARRIS: Yes. Prior to me making the argument,
24 because I would be able to cross-examine Ms. Phillips
25 specifically on this issue that I want to address before the

1 Court.

2 MS. MATTIACCI: She's a party to the case, Your
3 Honor. She's a party to the case, Your Honor, so we would
4 object to that sequestration and this issue, as created by the
5 defendant, so they shouldn't also benefit from having the
6 witness sequestered, but...

7 MR. HARRIS: Judge, respectfully, this was not
8 created by the defense. This is an issue that had been going
9 on for two years. And what has happened, and counsel has
10 argued before this jury, that, in fact, the incident report is
11 suggesting that the gentlemen that were in the store were
12 there -- were in the store for 20 minutes, knowing full well
13 that that's not the evidence in this case.

14 The reason why I specifically did not produce it in
15 issue in this case is because we were going to have to have a
16 trial within a trial; but I'm happy to have Donte and Rashon
17 testify to how long they were actually in that store when the
18 police were called.

19 But that's not what this case is about. This case is
20 about Ms. Phillips's leadership specifically. But now that it
21 has become that, because the counsel has argued specifically
22 to suggest that they were in the store for 20 minutes and
23 knowing full well that wasn't the case at all. We produced
24 the document, we produced the videotape which shows how long
25 they've been in the store. I think the jury should be

1 entitled to see that.

2 MS. MATTIACCI: May I be heard, Your Honor?

3 THE COURT: Yes.

4 MS. MATTIACCI: The only evidence that was produced
5 by the defendant in this case concerning what happened on
6 April 12th was the investigation report, Exhibit 160, that
7 they produced that said the men were in the store for
8 10 minutes before the police were called. That was the only
9 evidence they produced.

10 They put the issue of the video into light for this
11 Court because of their exhibit list. For the very first time
12 on their exhibit list, they take a 46-second clip off the
13 internet and say they want to play it.

14 We say it's irrelevant because it's irrelevant. It's
15 beyond the point. Everybody has testified she was not
16 terminated for what happened on April 12th, so we object to
17 them just playing this 46-second clip.

18 In response to that, when Your Honor denied the
19 motion in limine, you said: As long as they can lay a
20 foundation to be able to put in, that that might be able to be
21 put in as background evidence.

22 We then -- after that was decided at 5:30 at night on
23 Friday night, this past Friday night, for the very first time,
24 we get sent 24 video clips from all different angles,
25 purportedly from what happened on April 12th in that store.

1 They don't have time stamps. They don't have dates. They're
2 clipped up. There are all sorts of -- sometimes they jump in
3 time.

4 I immediately Friday night responded by email to
5 opposing counsel and said: Please produce the full,
6 continuous videos with time stamps. We can't tell anything
7 from this.

8 They don't send us anything on Friday, nothing
9 Saturday, nothing Sunday. We file our motion on Sunday saying
10 that they should be precluded from using the 46-second video.

11 Plus, this video was requested two years ago -- I'm
12 sorry, three years ago, three years ago in this case, and they
13 never produced it. And then they don't produce it on Monday,
14 and they don't produce it on Tuesday.

15 We have now opened the case. We have -- I've opened.
16 A whole HR VP has been cross-examined. The plaintiff is on
17 the stand right now. And last night at 9:25 at night, they
18 produce 10 hours of video. It is suddenly continuous: five
19 videos, 2 hours apiece, from all different angles of the
20 store, including angles that were not included on Friday
21 night. 10 hours.

22 These videos purportedly show that the men were in
23 the store around 3-and-a-half minutes before 911 was called.
24 And we had -- we had requested this, and they never produced
25 it. And now they want to stand up here and show the jury that

1 after we have already opened the case. This is outrageous.

2 We had -- the investigation report was what they had
3 produced to us. If they wanted to also utilize some video
4 that contradicted their own investigation report, fine,
5 produce it in time.

6 But to do it at this stage of the case, Your Honor,
7 is completely outrageous. They should be precluded from using
8 any video, and the jury should be instructed that this is the
9 behavior and how they conducted their discovery.

10 MR. HARRIS: May I be heard, Judge?

11 THE COURT: Yes.

12 MR. HARRIS: The reason why I provided the video
13 clip, because it was the video clip that created the
14 international issue that became an event as a crisis. To
15 provide context, that's why I produced the video.

16 THE COURT: Which video clip?

17 MR. HARRIS: The video clip that was recovered --
18 that I think it was issued on YouTube that went around the
19 world, 3 million hits.

20 THE COURT: The 46-second one?

21 MR. HARRIS: Yes. That's what I produced.

22 THE COURT: The other day in court last week, you
23 told me it was a 46-second video.

24 MR. HARRIS: Correct.

25 THE COURT: Now it's a 10-hour video. What's going

1 on here? Why wasn't this produced earlier in the litigation?

2 MR. HARRIS: I can tell you why, Judge.

3 Specifically, the video itself, it was never contested as to
4 what happened within the store.

5 We objected to it because that's not why she was
6 terminated. It had nothing to do with why Ms. Phillips was
7 terminated for the employment case.

8 THE COURT: Then why do you need the 46-second clip?

9 MR. HARRIS: Because it provided context of why it
10 was a crisis.

11 The jury's going to hear that this was a crisis.
12 Well, why was it a crisis? Because this clip was sent out.
13 That was it. That was the only reason why I was showing the
14 clip, to show that this was a crisis. That is it.

15 THE COURT: So what you're saying is that it's not
16 relevant to the case now you're saying?

17 MR. HARRIS: Judge, I'm not saying that. Here's what
18 I'm saying specifically: The full video is not relevant. It
19 has now become relevant because now Ms. Phillips is on the
20 stand, and counsel has argued that the gentlemen were in the
21 store for 20 minutes. That's not true.

22 It was never contested before this day that they were
23 in the store for less than 3 minutes. Until now, it was never
24 contested. Until now.

25 Ms. Phillips worked there. She knows how long they

1 were in the store. She could have certainly have told her
2 counsel how long they were in the store.

3 THE COURT: Ms. Phillips was not there that day.

4 MR. HARRIS: I understand, but she conducted an
5 investigation, like every other witness in this case.

6 Ms. Hymes testified to, two years ago, in 2021, that
7 she conducted an investigation, that she looked at the video
8 and she saw them in the store for 2 minutes. They never
9 requested the video after Ms. Hymes' testimony.

10 THE COURT: The bottom line is that -- and I don't
11 have a written response to what the plaintiff's motion is.

12 MR. HARRIS: I do have a response, Judge.

13 THE COURT: But I don't know if you filed it of
14 record. I haven't seen.

15 MR. HARRIS: It was filed last night, Judge.

16 THE COURT: All right. I'll take a look at it, and I
17 may reconsider it.

18 But I've said it in the court: I've watched the
19 46-second video. If you can authenticate it in a proper way,
20 I said we'll let the jury see it, because it does have some
21 relevance to the case.

22 But beyond that, I think that I'm not inclined to do
23 it, but I'll keep an open mind until I read what you said, and
24 also consider what you said during your argument.

25 But to produce 10 hours of video at this stage of the

1 litigation is just absolutely prejudicial to the defendant --
2 to the plaintiff in this case, because counsel has the right
3 to examine the video, to see whether or not the videos are
4 tampered with or edited or deleted or if there was any
5 changes.

6 So this is all part of the lawyering and discovery in
7 the case. And to produce it at this point, the 10 hours, is
8 just -- I'm sure if the shoe was on the other foot, you'd be
9 arguing the same thing as Ms. Mattiacci if you got evidence at
10 this late in the litigation.

11 This was asked for three years ago. I am -- I can't
12 understand why the videos and what happened in the store was
13 not made available in discovery. It certainly is relevant to
14 the claim of the defense under Rule 26.

15 MR. HARRIS: If I may, Judge?

16 THE COURT: Yes.

17 MR. HARRIS: Counsel -- remember, let's place this in
18 the proper context.

19 At the time that the video was requested -- in fact,
20 specifically -- the video was not specifically ever requested
21 in discovery, number one. What was requested in discovery
22 were documents and evidence related to the arrest, which we
23 produced.

24 What -- we specifically objected to that based on the
25 relevancy of her termination decision. That's number 1.

1 Witnesses have subsequently testified, including
2 Ms. Phillips, regarding what happened within the store as
3 providing the context which led to the termination, only for
4 the purpose of leading to her performance and her leadership,
5 not as to whether or not what happened on the tape led to her
6 performance, led to her termination.

7 What counsel is now suggesting, which is very
8 different than how the case was developed, that, in fact, the
9 video was the reason for the termination.

10 Witnesses after witnesses have testified that they
11 subsequently found out that what Ms. Hylton had previously
12 said was inaccurate, was, in fact, she initially said that
13 they had been in the store for a long time.

14 Ms. Phillips testified that she didn't actually
15 disagree with what happened in her deposition, so, therefore,
16 it was never in contravention until right now, when they're
17 now arguing that the gentlemen had been in the store for
18 20 minutes.

19 THE COURT: What are you seeking? What kind of
20 remedy are you seeking?

21 MR. HARRIS: What I am seeking is to be able to show
22 the entire video to provide further context if they're now
23 arguing that the gentlemen were in the store for 20 minutes.
24 It had never been an issue how long they were at the store
25 until right now. They were only in the store for less than 3

1 minutes.

2 And for somehow -- and counsel is certainly aware of
3 this. There wouldn't have been an international event for two
4 gentlemen being in the store for 20 minutes. They know that
5 that's not what happened.

6 The purpose of me showing the limited clip -- the
7 limited video was to show that this became an international
8 issue, an event for an organization because of the 40 seconds
9 that were shown across the world. That's it. So that the
10 jury can actually see that, which was discussed. Otherwise,
11 they would get the impression of some video that they have
12 never seen. They wouldn't know why two people were arrested
13 without incident. And Ms. Phillips was -- testified and has
14 testified at her prior hearing that, in fact, she wouldn't
15 have called the police herself. That's why it was never an
16 issue.

17 It is now becoming an issue because counsel is
18 suggesting as if the incident report was somehow legitimate or
19 competent evidence that was produced, but it wasn't at issue.

20 MS. MATTIACCI: Your Honor, may I be heard?

21 THE COURT: Yes. I'm not sure whether you're pulling
22 up the video. I don't want to keep the jury waiting too long.

23 MS. MATTIACCI: Your Honor, there is a --

24 MR. HARRIS: May I approach? I'm sorry, Judge. This
25 is my... thank you.

1 MS. MATTIACCI: Counsel is completely misstating my
2 arguments.

3 I have said very specifically, it's not my fault that
4 Starbucks' own investigation report says that the men were in
5 the store for 10 minutes. That's their investigation report.
6 That's a document in evidence.

7 THE COURT: Did you use the word 20 minutes?

8 MS. MATTIACCI: No.

9 THE COURT: No. Okay.

10 MS. MATTIACCI: The investigation report, yes,
11 20 minutes, because it's -- the investigation report says they
12 entered at 4:10 and that the police were called at 4:22. And
13 then the -- and then the police were subsequently called, and
14 the police were talking to them for 10 minutes.

15 THE COURT: Okay. I understand.

16 MS. MATTIACCI: So with that, I always couched it,
17 and even in opening and even with Ms. Phillips, was, what does
18 the investigation report from Starbucks says.

19 That's it. So Starbucks, I guess, lied in their
20 investigation report. You know, that's not my problem.

21 But we requested this. Their response that you'll
22 see that they filed last night at 1:30 in the morning says
23 that they have this full video because they preserved it as
24 part of the litigation hold for this case.

25 So they preserved it as part of this case yet failed

1 to give it to us until the eve of the third day of trial?

2 I mean, that's -- we don't know the custodian of it.

3 We don't know the chain of custody of these documents. We

4 don't know about how the time-stamping was put in.

5 And Your Honor, the 46-second clip has hearsay all in

6 it. It's statements of customers that are in the store

7 saying, what did they do, they didn't do anything.

8 The hearsay -- the videos that counsel is now relying

9 on, the full videos have no sound. You can't hear anything it

10 says, and they're completely different angles than the

11 46-second clip.

12 We -- and let me be clear, I don't think any of

13 this -- it's meaningless, because we're not -- we are

14 stipulating, admitting to the fact there was a 40-second clip,

15 second clip, that went out on Twitter that went viral, that

16 caused a firestorm for the company and a PR nightmare. None

17 of that is in dispute. They don't need background evidence on

18 that.

19 THE COURT: That was the only thing that was shown

20 publicly, that 46-second clip?

21 MS. MATTIACCI: Yes. And we agreed to that. And we

22 agree that this created a huge PR nightmare for Starbucks.

23 That's nothing that needed to be, you know, shown.

24 The only reason counsel wants to show it is to

25 conjure up feelings of the jury to feel bad for the gentlemen

1 that were arrested. And they should not have been arrested.

2 That's not this case, though.

3 He wants to try the case about whether 911 should
4 have been called, whether the men should have been arrested.

5 That is not this case. This case is about whether Shannon
6 Phillips was terminated because she was white.

7 MR. HARRIS: Objection.

8 THE COURT: Last word, Mr. Harris, and then I'll make
9 a ruling.

10 MR. HARRIS: Judge, specifically, if you look at what
11 counsel argued yesterday, using the investigation report, she
12 specifically said 20 minutes.

13 She also said in the document that the video was
14 actually saved.

15 That's why I have to now show it, because she pointed
16 to that part in the investigation report.

17 The investigation report was created by Ms. Hylton,
18 who had obviously --

19 MS. MATTIACCI: No, it wasn't. It was not created by
20 Ms. Hylton.

21 THE COURT: Wait, Ms. Mattiacci. Don't interrupt.

22 MS. MATTIACCI: I'm sorry. I'm so sorry, Your Honor.

23 MR. HARRIS: Ms. Hylton provided the correct -- it
24 wasn't prepared by Ms. Hylton. She provided the information
25 that went into the report.

1 So of course Ms. Hylton would have said 20 minutes.
2 That's where the asset protection person got the information
3 from, from the store manager. The store manager is not the
4 one who actually had the contents of the information. That's
5 why we didn't use it. That's why we didn't discuss it,
6 because it was inaccurate.

7 But if counsel is now suggesting as if that report
8 somehow demonstrates what would have been captured in the
9 45 seconds, knowing that she's had this for several years and
10 never subsequently asked for it, that wasn't at issue. That's
11 why they never addressed it.

12 THE COURT: All right. You wanted to say something
13 else?

14 MS. MATTIACCI: Oh, he just misstated that
15 Ms. Hylton, Holly Hylton, created the investigation report.
16 It was not. It was --

17 MR. HARRIS: Judge, that's not what I said.

18 MS. MATTIACCI: It was not. It was Ronda Knight who
19 did it and also in the report said she had secured the videos.

20 And I just want to point out, this issue was raised
21 May 30th, Your Honor, in the pretrial conference.

22 When we had oral argument on the motion in limine, I
23 said Exhibit 160 is the only exhibit we have that shows what
24 happened that day from Starbucks, just give me your
25 information.

1 And there was nothing to substantiate a longer --
2 there was no longer video created. I didn't even know it
3 existed. We just wanted it.

4 THE COURT: All right. Let me make a ruling here.
5 Based upon Document Number 134 --

6 (Court reporter clarification.)

7 THE COURT: I have read Document Number 134, which is
8 plaintiff's motion for sanctions against defendant and renewed
9 motion in limine to preclude defendant from introducing the
10 46-second arrest video TR005 at trial. And I've also read the
11 defendant's response in opposition to plaintiff's motion for
12 sanctions and renewed motion in limine, which is a three-page
13 document, a two-and-a-half page document. And I've listened
14 carefully to what counsel have just argued.

15 It's obvious to me that based upon what counsel is
16 saying, that the entire video, whatever defendant had in their
17 possession, was requested early on in discovery.

18 Mr. Harris (sic) says they requested all evidence
19 related to what happened in the store that day, and I don't
20 have the discovery request in front of me, but it is quite
21 obvious in a case like this that that kind of request would
22 encompass the turning over of the videos that were in
23 Starbucks' possession of what happened in the store that day.

24 Now we learn today for the first time, or at least
25 I'm learning for the first time, there were 10 hours of video,

1 not just a 40-second clip taken on what looks like a cell
2 phone by someone else in the store. And it is that clip that
3 went viral on the internet and other media, which created what
4 I'll call the firestorm of publicity against Starbucks for the
5 handling of the two men, African American men that went into
6 the store.

7 Mr. Harris is saying that we believed it wasn't
8 relevant to the case, but when we had our final pretrial
9 conference, I was informed that there was a 40-second clip,
10 and the defense wanted to play it for the jury. And I thought
11 it was background information and would be relevant just for
12 the jury to see what happened to these two men, and the
13 prejudice arising from it as argued by the defendant was not
14 undue, where it would outweigh the probative value of the
15 playing of that clip. But it still has to be properly
16 authenticated before it's admissible.

17 Now I learn that defendant has put together a
18 compilage of excerpts from 10 hours of video, and I will not
19 allow that to be played. That is -- number one, turning it
20 over at this late date is absolutely prejudicial to the
21 defense for reasons stated by Ms. Mattiacci. They just have
22 not had -- they will not have time to properly investigate the
23 10 hours of video and to properly analyze what's on there and
24 see whether or not what's there is somehow relevant or not
25 relevant, but it's what's -- Ms. Mattiacci has given some

1 other reasons.

2 But I can't think of a more prejudicial situation
3 right now in this case, for that clip not to have been turned
4 over for a comprehensive examination by defense -- by
5 plaintiff's counsel.

6 Despite what Mr. Harris says, it does have some
7 relevance in this case, and that's why I said that the defense
8 can play it.

9 Ms. Mattiacci has objected to playing of any of the
10 40-second clip, and I'm going to allow it if it's
11 authenticated.

12 I believe that based upon what I'm hearing from the
13 evidence thus far, there is some claim in this case by
14 plaintiff that the firestorm of publicity caused Starbucks to
15 overreact and fired Ms. Phillips based upon her race, and
16 others of African American descent were not fired.

17 And so the tape would have some relevance in the
18 case, because you have two African American men who are
19 arrested in the store, and that clip went viral and led to the
20 protests, and the amount of publicity that followed that was
21 considerable. And it was publicity that was all over the
22 media and the newspapers, local television. It's something
23 that you couldn't miss, so to speak. That's how widespread it
24 was.

25 So Ms. Mattiacci, when she made her statements, was

1 relying upon a report prepared by -- on the time was relying
2 on a report produced by the defense, but the videos were
3 never -- never produced in full.

4 So I'll stand on my original ruling with respect to
5 the 40-second clip. I'm convinced that the jury can put it in
6 proper perspective in this case after they see it, but to play
7 any additional portions of the clip would be unduly
8 prejudicial. Based on this record, it would be highlighting
9 an incident that from what both sides are saying to me now is
10 not the real issue in the case.

11 So that the probative value of playing all those
12 additional clips would be outweighed under -- by its
13 prejudicial effect in my judgment under Rule 403.

14 I will not impose the sanctions. I'll deny the
15 motion for sanctions, and I think counsel is making the --
16 defense counsel is making the request in good faith, and -- on
17 behalf of his client, and I will not impose sanctions. But I
18 will -- I'll deny the motion for sanctions.

19 And with respect to the renewed motion in limine to
20 preclude the defendant from introducing the 46-second arrest
21 video, I'll again deny that without prejudice. It still has
22 to be authenticated and properly presented to the jury under
23 the Federal Rules of Evidence.

24 All right. Can we bring in the jury at this point?

25 MS. MATTIACCI: Your Honor, I request a moment to

1 speak with my client.

2 She -- this was produced -- these videos are produced
3 to us, this evidence we've requested, while she's on the
4 stand.

5 I follow the rules, so I have not spoken to my client
6 at all about this, and I think it's only fair that I be able
7 to have a few minutes with my client to speak about this
8 evidence that they just produced last night.

9 THE COURT: All right. Do you want a short recess?

10 MS. MATTIACCI: Yes, Your Honor.

11 MR. HARRIS: Objection, Your Honor. I have a
12 question.

13 THE COURT: Yeah.

14 MR. HARRIS: There's nothing that's happened in this
15 courtroom that would impact Ms. Phillips's testimony.

16 The Court had never permitted me to introduce the
17 video. It's still not the case. It was not on our witness
18 list. We had no intention of doing it up until the time that
19 counsel brought up the incident report.

20 So it's not relevant. She doesn't need to speak to
21 her client now. She can testify to what she was going to
22 testify to. And to do so now places us in a prejudiced
23 position. There's nothing about what we had had on our
24 witness list to suggest that her testimony would change. It
25 was never in the case in the first instance.

1 MS. MATTIACCI: Your Honor, they produced -- they
2 produced video evidence that we have requested while our
3 client is on the stand, after I've already opened and had a
4 witness, and I can't even talk to her. That's so prejudicial
5 to me and to our side. I should at least be allowed five
6 minutes, ten minutes, to explain the circumstance of what just
7 happened, because this is a completely -- perversion of the
8 Federal Rules of Civil Procedure and evidence. It's
9 outlandish that they would wait until now, until 9:40 last
10 night.

11 THE COURT: All right. I'll afford you a few minutes
12 to talk to your client.

13 Once a witness is under cross-examination, though,
14 the party that called the witness can't speak to the witness.
15 That's understood.

16 But we're still on direct examination, so I'll afford
17 you a few minutes.

18 MS. MATTIACCI: Okay.

19 THE COURT: Okay?

20 MS. MATTIACCI: Thank you.

21 THE COURT: We'll take a recess. And again, try to
22 keep it quick, because I don't want to keep the jury waiting.

23 (Recess at 9:55 a.m. until 10:01 a.m.)

24 THE COURT: Bring in the jury.

25 (Jury in.)

1 THE COURT: Please be seated.

2 Good morning, members of the jury. I just want to
3 apologize for the delay in getting started this morning.

I had to consider some matters outside your presence
with counsel, and that was the reason for the delay. We were
working. So -- and we also had some problem with the audio
broadcast in the courtroom, and that had to be fixed.

8 So again, we apologize for the delay. I don't like
9 to keep you sitting in the back, waiting and wondering what's
10 going on.

11 But we're prepared to proceed at this point.

12 Ms. Phillips, you can take the witness stand, and
13 Counsel, you can continue your direct examination.

14 MS. MATTIACCI: Thank you, Your Honor.

15 DIRECT EXAMINATION - CONTINUED

16 BY MS. MATTIACCI:

17 Q. Good morning.

18 A. Good morning.

19 Q. I believe where we left off yesterday, take a look at the
20 calendar here.

21 We were talking about Monday -- I'm sorry.

22 We were talking about the call that you had with Reggie
23 Borges at 3:30 in the morning.

24 Can you tell the members of the jury about that call and
25 about when that happened?

1 A. Sure. So it was the morning of the -- when the interview
2 happened with Gayle King and Howard Schultz. Reggie called me
3 because he had gotten to the store where the interview was
4 taking place, and he wanted to tell me that everything was
5 perfect, thank you so much and you're a hero and I probably
6 shouldn't have called this late, but that was kind of par for
7 the course at that point.

8 Q. Great. And I believe we left off with this document
9 which was 154.

10 And is this the email on April 19th at 10:30 in the
11 morning that you sent to Tim and the others?

12 A. It is.

13 Q. Okay. Was the interview with Gayle King and the CEO the
14 morning of Thursday, April 19th?

15 A. Yes, I believe it was.

16 Q. Did you have partners, employees, that were leaning on
17 you during this time?

18 A. I did, certainly.

19 Q. Did you help to support them?

20 A. I did. I certainly did.

21 Q. Let's take a look at 153.

22 This is an email sent to you by Paul Sykes and Paul Sykes
23 is African American. Correct?

24 A. He is. He was the district manager of the store.

25 Q. And he was the district manager of the store where the

1 arrests took place?

2 A. That's correct.

3 Q. Okay. Can you read what Mr. Sykes said to you?

4 A. Hi Shannon. I am tired, and I need you to wordsmith this
5 email for me before it hits Camille. Can you please take a
6 look at this and make any appropriate corrections and send to
7 Camille. Thank you, Paul.

8 Q. Okay. And so Mr. Sykes is asking you to review his
9 document and make sure it's okay before it goes to your boss,
10 Camille?

11 A. That's correct.

12 Q. Can you summarize the nature of the email that he is
13 sending to Camille?

14 A. Sure. So we had created this group, the Philadelphia
15 protests response team. Obviously there were a lot of
16 protests happening, and we thought it would be wise to have,
17 you know, a group of people that would need to be involved in
18 one text thread, one email thread, so that as things continued
19 to happen, we could kind of mobilize the group to support the
20 stores in how they needed. And this kind of details out the
21 roles and responsibility in the event a protest is happening.

22 Q. Did you in fact review the email for him and approve it
23 before it went to Ms. Hymes?

24 A. I did.

25 Q. Let's take a look at 136.

1 And this is -- this is actually the email that we were
2 just looking at before, but it went out under your cover
3 ultimately. Correct?

4 A. That's correct.

5 Q. It talks about you being in a field leadership -- you as
6 a field leadership partner as well as others. Correct?

7 A. Yes, it does.

8 Q. Was Ms. Hymes okay with this?

9 A. I believe she was.

10 Q. Let's take a look at 148.

11 This is an email chain, April 19th, between yourself and
12 the Black Partners Network, in particular Andrea.

13 If we go to the next -- to the bottom of the chain.

14 The original email is from Andrea Monroe. And she was
15 the leader of the Black Partners Network in the Philadelphia
16 region. Correct?

17 A. That's correct.

18 Q. And so is she stating in here that -- suggesting an
19 opportunity for there to be roundtable discussions with black
20 partners and white -- everybody, together to discuss their
21 concerns?

22 A. Partners in general, sure.

23 Q. And if we go up to your -- to the email that she sent
24 directly to you. First, let's read what you said to her at
25 the bottom there at 113.

1 A. I said: Thank you, Andrea. I truly appreciate your
2 support for our partners at this time.

3 Q. Is Andrea African American?

4 A. She is.

5 Q. And what did she respond?

6 A. She said: Absolutely. How are you holding up?

7 Q. And what was your response to her?

8 A. I said: I'm holding up. I so appreciate your support
9 and pulling this together so timely. I know many of our
10 partners need to talk, and while we've offered on-site EAP
11 counseling (upstairs at 4th & South) all week from 12:00 to
12 6:00 through tomorrow, and may extend, I actually feel like
13 getting a group together is better for partners to be able to
14 share with other partners and talk. I really appreciate you
15 taking the lead on providing this, and I hope many partners
16 turn out for what I know will be a genuine and needed
17 conversation.

18 Thank you.

19 Q. And the EAP counseling that you referred to, is that
20 where outside therapists were brought in to talk to employees
21 if they wanted to talk to them?

22 A. That's correct. We had brought in -- I think I mentioned
23 this yesterday -- EAP, which is Employee Assistance Program.
24 We had brought counselors into the store for anyone to come
25 and have a conversation, but we weren't getting a lot of

1 people showing up, so we thought maybe this, bringing partners
2 together in a bigger group, might spark more conversation and
3 support.

4 Q. Were you also involved in making sure that employees were
5 safe in the stores during these times?

6 A. I was.

7 Q. Let's take a look at 146.

8 The bottom email of 146 is from Dina Campion to Paul
9 Sykes and yourself, copying Ronda Knight on April 17th.

10 Who is Dina Campion?

11 A. I believe she was -- if I'm correct, I think she was
12 Ronda Knight's boss in P&AP.

13 Q. Okay. So and P&AP, that was the partner and asset
14 protection group?

15 A. That's correct.

16 Q. And in summary of this email, were there plans that were
17 being put in place to help keep partners safe during the
18 protests?

19 A. That's correct. We had the Philadelphia protest team.
20 We also had instituted some roving security, so these were
21 security officers that were in plainclothes that were sitting
22 in the café, really just to make the partners feel more safe
23 and protected.

24 Q. And that wasn't something that was done prior to
25 April 12th. Correct?

1 A. No.

2 Q. In the email there where it talks about the Global
3 Guardian team, is that the plainclothes roving security that
4 was being put in place?

5 A. That's correct.

6 Q. And then you respond back to Dina. Can you read what you
7 said there?

8 A. Sure. I said: Hi Dina, Zeta, Paul Pinto, Camille and I
9 had a meeting last night and decided that the Global Guardian
10 team should continue through the next two weeks. Can you
11 please extend for us and confirm back that this has been done?

12 Q. And Dina responds back: I'm on it. Security team will
13 communicate as soon as it's confirmed.

14 A. That's correct.

15 Q. And then, can you read your response at the top?

16 A. I said: Thank you so much, Dina. I truly appreciate all
17 your support.

18 Q. So you were actively engaged in making sure that
19 everybody was remaining safe during this time?

20 A. I was. 100 percent engaged.

21 Q. To your knowledge, was Starbucks watching the reaction of
22 the public and the press closely for every move that it made
23 during this time?

24 A. Yes. We were getting a barrage of daily emails of every
25 news story, every social media news story. It was a lot. So

1 they were monitoring it very closely, what the media was
2 saying. And every day we were getting updates with all the
3 articles.

4 Q. Let me show you now Exhibit 142.

5 At the top of 142, Camille Hymes, your boss, sends to you
6 and Ebony Johnson an FYI email, correct, forwarding the one
7 below?

8 A. That's correct.

9 Q. And then, if we look at the email below from Jaime
10 Ryan (sic), the subject is: Social/media/partner read
11 out_Thursday 4:30 PT.

12 It says: Since this morning's report, coverage has
13 increased as the narrative continues to shift towards Rashon
14 Nelson and Donte Robinson's appearance on Good Morning America
15 and an article in the AP, where they provided their version of
16 events in the store. The Philadelphia Police Commissioner
17 issued a new apology during a press conference, and the Mayor
18 of Philadelphia also provided an updated statement.

19 Conversation on social and traditional media also continues
20 regarding the hoax coupon, and the team is working in lockstep
21 with Twitter on removal of hoax-related social content.

22 We are preparing for the possibility of the investigation
23 from the store incident to be closed/published in the next day
24 or two -- or over the weekend by the Office of Professional
25 Responsibility. We have not heard of any anticipated

1 third-party press conferences or otherwise planned for
2 tomorrow, but we are monitoring.

3 And the hoax coupon was something that was going on at
4 the same time as well?

5 A. It was.

6 Q. And that was a coupon that was not legitimate but being
7 presented?

8 A. It was.

9 Q. And if we look down on Social where it says Channel
10 Overview, it is being relayed that:

11 There have been 4,400 mentions related to the hoax coupon
12 today; 30 percent of today's conversation volume is from
13 people and media noting they are fake. At the same time,
14 we've seen #StarbucksChallenge mentions fall in velocity since
15 this morning. Correct?

16 A. That's correct.

17 Q. And then, it was: Conversations related to the two
18 gentlemen speaking out publicly this morning has totaled
19 61,800 mentions.

20 So "this morning," meaning on April 19th?

21 A. That's correct.

22 Q. These mentions related to two minutes between the
23 gentlemen's arrival and the 911 call. People are also
24 continuing to share links to the GMA full interview.

25 Now, if we go to the second page, there are more bullet

1 points about the retweets of the viral video and how many
2 times specifically the post has been retweeted. 81,800 times.
3 Correct?

4 A. That's correct.

5 Q. And they're tracking it in terms of hour to hour of how
6 often that this story is being mentioned.

7 There's also reports in the media of how it's being
8 reported in the newspapers. Correct?

9 A. That's correct.

10 Q. Of note, it says in the third bullet point, CNNMoney's
11 Richard Quest responds why Kevin Johnson's response to the
12 incident, quote, "shows companies like Facebook and Equifax
13 how to handle a crisis" by immediately apologizing, conducting
14 on-the-ground meetings, and announcing racial bias training
15 education for partners. Correct?

16 A. That's correct.

17 Q. So they were also monitoring the response of the public
18 and the media and social media of the different actions that
19 Starbucks is taking and how it's being received?

20 A. Absolutely.

21 Q. And if we go down, there's a chart with how many times
22 the social media mentions, and the reach is for different
23 topics: Philadelphia Overview -- Overall, Starbucks Training
24 Announcement. And they're even tracking down to whether the
25 sentiment is positive or whether it's neutral. Correct?

1 A. Yes, that's correct.

2 Q. They have graphs tracking the volume over time showing
3 Philadelphia-related coverage since Friday, 4/13 at midnight
4 from US and Canada outlets with a reach more than 100 people.
5 Correct?

6 A. That's correct.

7 Q. And this is tracking it day by day. Correct?

8 A. That's correct.

9 Q. And then you were sent or you were forwarded by
10 Ms. Hymes: Bold articles represent news since last report.
11 And these are headlines that were made. So the first headline
12 says: Men Arrested at Starbucks Speak Out, Philadelphia
13 police commissioner apologizes for how he handled Starbucks
14 arrests.

15 And this goes on and on for many, many pages of every
16 single headline and article that is being written about this
17 situation; is that correct?

18 A. That is correct. It was a major brand risk, as John
19 Kelly mentioned early on, and they were tracking everything:
20 What the media was saying, how people were responding, what
21 our response was, how people were responding to that. It was
22 a firestorm. That's all I can say.

23 Q. And this goes on for like 15 pages here; is that correct?

24 A. Oh, I'm sorry. Yes, that's correct.

25 Q. During this time, were you engaged in helping to figure

1 out coverage and support for the partners during the ongoing
2 protests that were happening?

3 A. I was.

4 Q. Let me show you Exhibit 62.

5 This is a string of emails involving Ronda Knight and
6 others that we have discussed before, and you recognize this
7 as talking about upcoming protests that would be happening?

8 A. Yes, that's correct.

9 Q. Okay. And that information was forwarded to you on
10 Friday by Ms. Hymes, and it says: For your visibility.
11 Correct?

12 A. It does.

13 Q. What is your response to Ms. Hymes in regards to the
14 protests that was coming up on Sunday and police support?

15 A. I said: Hi Camille, we are set for Sunday. We will have
16 our partners out of the store by 2:30. An additional group of
17 partners will be at a nearby store: 18th & Market, so that
18 when the protest ends they can come to the store to work the
19 balance of the day.

20 The following group is confirmed to be in the store
21 during the protest will be: DM-Paul Sykes, myself, DM-Delma
22 Wells, DM-Tim Osevala, District Manager-Michele Lontas,
23 ROC -- which was the regional operations coach -- Michael
24 Scott, and store manager of the store-Angela Grass.

25 Thank you, Shannon.

1 Q. Let's take a look at 44.

2 Exhibit 44 is an email that you sent on Monday,

3 April 23rd, in regards to the Philly task force.

4 Can you read what you say there at the top, and then

5 explain what this email is that you're sending to Ms. Hymes?

6 A. When you say read at the top, the headline of the email

7 or do you mean --

8 Q. The first line in the two bullets.

9 A. Sorry.

10 Hi Camille, I wanted to provide you some line of sight as
11 we move forward in Philadelphia:

12 Task Force has been created to support new/revised

13 "Safe & Welcoming" procedures and engage Denise's team.

14 Dina Campion has been engaged by you to support ongoing
15 P&AP support in "hot spot" stores. This list was created in
16 November during "All Hands Calls."

17 Q. And then I believe we talked about earlier the hot spots
18 stores meaning different stores within the city that had a
19 particular heightened risk of crime or homelessness. Right?

20 A. Right. Drug use, crime, yep.

21 Q. Let's look at Exhibit 66.

22 This is a thank you that you get from Rana Beresford.
23 Correct?

24 A. That's correct.

25 Q. And can you read what Rana says to you and who she is?

1 A. Sure. The headline is: Acting with courage, challenging
2 the status quo and finding new ways to grow our company and
3 each other.

4 And she says: Thank you so much for your courageous
5 leadership and endless patience. It's always reassuring to
6 know that you are out there to support my entire store, and
7 customers.

8 Thank you.

9 Rana was a store manager. I believe she was in South
10 Jersey, maybe down towards the shore, Rio Grande or something
11 like that.

12 Q. And then 152 is your response. This is -- the one that
13 we just read from Rana Beresford, you had forwarded that to
14 Jackie Johnson. Correct?

15 A. It looks like I did.

16 Q. And --

17 A. Well, it looks like I must have sent it to her and
18 probably then sent it to Jackie because I say: Thank you so
19 much, Rana. Receiving this today meant the world to me.

20 And then I probably copied Jackie, because Jackie
21 responded: Awe how sweet. You are loved.

22 Q. Who was Jackie?

23 A. She was another district manager of mine.

24 Q. Did you continue that week to engage and work with the
25 Black Partners Network?

1 A. I did.

2 Q. Let's look at 67.

3 This one, for some reason the typing is really small on
4 this version of the email.

5 Are you able to see that?

6 Let's see if I can go up one.

7 This is from April 23rd.

8 A. So this was about Andrea coming to town, the senior P&AP
9 manager. That would have probably been Dina's boss.

10 Oop, kind of went away.

11 Q. Yes. I was just looking at that. If we look at the
12 bottom email, it will give you some more information about the
13 P&AP group.

14 A. Uh-huh. I'm sorry. I don't see it on the screen.

15 Q. Yes. Sorry. This email is problematic for some reason.
16 It's very strange.

17 Okay. Can you read that at the top? Yes, absolutely?

18 A. So Camille was asking: Are you available to spend time
19 with Andrea this week?

20 And I said: Yes. Absolutely. We'd welcome Andrea in
21 the market this week. Let me know when she will be coming
22 into town and we'll take it from there.

23 Many thanks, Shannon.

24 Q. Okay. And what was the role and the project that you
25 would be working on?

1 A. So Andrea was Dina's boss in P&AP, and we had kind of
2 thrown out the Safe and Welcoming policy, so now we were
3 allowing anyone into the store to be in the cafés or use the
4 restrooms, but we also had these issues still existing of drug
5 use and overdoses and homelessness in the cafés and theft.

6 And so Andrea, we felt like would possibly have some good
7 ideas and solutions of what we could do in the stores going
8 forward to balance, you know, the needs of the customers and
9 the partners and also, you know, be able to have the cafés
10 open for customers and noncustomers alike.

11 Q. And at the top here what you're responding to is
12 Ms. Hymes saying to you, let me know your thoughts, are you
13 able this week to meet with them?

14 A. That's correct.

15 Q. Let's look at Exhibit 70 from Tuesday, April 24th. This
16 is an email from Rebecca Stout, store manager.

17 Can you read what she says to you there?

18 A. Sure. Hi Shannon, I just wanted to reach out and thank
19 you for your leadership over the past week-and-a-half. You
20 truly exemplify what it means to be a servant leader.

21 I know I wasn't in Philadelphia last week but I've
22 checked in with partners in the area to ensure they felt safe
23 and felt they could share any concerns if necessary. All the
24 partners think very highly of Starbucks and they feel what
25 happened isn't a true representation of what we stand for.

1 I appreciate your keeping us informed every week via
2 conference calls and inviting shifts so that everyone is
3 included.

4 Multiple shifts came up to me and told me how included
5 and supported they felt, that there was a conference call for
6 them explaining the situation as well as how we will move
7 forward.

8 As always, I truly appreciate your positivity, compassion
9 and leadership.

10 Thank you, Becky Stout.

11 Q. Let's look at 141.

12 This bottom email from Tuesday, April 24th is from you to
13 a group of folks, including Mr. Sykes and Mr. Trinsey.

14 And can you explain what this email is?

15 A. So I was asked to come up with a Philly task force. And
16 these would be partners in the stores as well as DMs that
17 would be able to engage with Seattle, like op services.

18 That was the group in Seattle that had originally
19 developed the Safe and Welcoming. And so there were going to
20 be revisions made and so they wanted a group of people who
21 could represent here's what's happening in our stores and we
22 have a need to have, you know, safety procedures in place.

23 So be able to accurately engage with Seattle folks so
24 they could understand where the stores were coming from and
25 develop a better program going forward.

1 Q. And you forwarded that on to Michael Scott?

2 A. I did.

3 Q. What was Michael Scott's role in this?

4 A. It was called the ROC. He was the regional operations
5 coach.

6 Q. And what was his -- vis-à-vis this situation, what would
7 he do or did he do?

8 A. I believe the original role of the ROC was to kind of
9 support Camille in developing the regional directors, but in
10 this case Michael Scott was very instrumental in helping pull
11 resources together and determine who should receive and what
12 information and he was very much a support during this time.

13 So I wanted to make sure he was obviously included on
14 this information.

15 Q. Let's take a look at 144.

16 This is an email coming from Katie Bowman to you:
17 Sending a little sunshine.

18 And what does it say?

19 A. Sending you lots of warm thoughts, hugs and sunshine. I
20 have always loved working with you and for you, Shannon. I am
21 so very grateful for the leader and partner you are,
22 encouraging everyone to be their very best and authentic self.
23 Proud to be your partner.

24 Q. Even at this time, were there ongoing protests that were
25 happening and you were continuing to engage and support the

1 partners?

2 A. Yes. There were ongoing protests in the city, at the
3 store that it happened, 18th and Spruce, and then sometimes
4 they would march down to other stores. So I remember a day
5 when me and the district managers and store managers were
6 literally running to the next store so that we could be ahead
7 of the protesters and get the hourly baristas out of being
8 in -- having to deal with the protest activity, like in the
9 back room or some of the stores had basements, but to get them
10 out of there so we could kind of be the face of what was
11 happening.

12 Q. I'm just going to bring up a text message. One moment.

13 THE COURT: While you're looking for that, I need to
14 speak to the court reporter.

15 (A discussion off the record occurred.)

16 THE COURT: You may proceed.

17 MS. MATTIACCI: Thank you, Your Honor.

18 BY MS. MATTIACCI:

19 Q. I'm showing you what has been marked as Exhibit 12, and
20 the particular Bates number on this is Starbucks 5769.

21 And does this represent a text chain of folks who were on
22 the Philadelphia Protest Response Team?

23 A. That's correct.

24 Q. And if we look down to April 27th, is this indicating to
25 you that there was a potential protest that was going to be

1 happening?

2 A. Yes. There was a protest that we had become aware of
3 from the civil affairs unit. We had developed a relationship
4 with two specific officers from that unit. And we had become
5 aware that there was going to be a protest, so I was headed
6 into the store to make sure that I was there to support.

7 Q. Camille is asking down here about the civil affairs unit.
8 She's asking you to call them.

9 And what are you responding to?

10 A. Oh, she was asking a couple messages above to call Gary
11 and Lieutenant Cruz. Those were the two civil affairs unit
12 folks that we had developed a relationship in this period of
13 time.

14 And she was telling me to get in touch with them, and I
15 let her know that that was actually who informed us of the
16 protests.

17 Q. Let's look at Exhibit 78.

18 This is an email that you received from Jennifer O --

19 A. Otepka.

20 Q. Otepka. Who is Jennifer Otepka?

21 A. She had been a store manager, I think maybe down south at
22 Somers Point, but she had moved a couple years ago at this
23 point to maybe North or South Carolina, I believe.

24 Q. Can you read what she says here to you on April 26th?

25 A. Sure. Hey Shannon, I hope all is well. I know this

1 email, for me personally, is long overdue --

2 Q. Shannon. Sorry. Just for the benefit of --

3 A. Slow down?

4 Q. -- Ann Marie.

5 A. Am I reading too fast? I'm sorry.

6 -- but better late than never.

7 As I transition with new beginnings with a new DM - my
8 reflections over my 11 years and my Starbucks journey has
9 flashed before me and I felt the need to shoot you an email to
10 not only say hey but also to thank you for the impact that you
11 have made on me as a manager.

12 Though I am now a manager in the Southeast, your impact
13 as a regional director has truly impacted me during my time in
14 the Mid-Atlantic. As I share my Starbucks journey with
15 partners and most recently a developing shift supervisor, I
16 always find myself starting off my story with, I am where I am
17 today because someone believed in me. And though it may be
18 overlooked by some, I will always remember that day in
19 Haddonfield, sitting in the conference room in front of Delma
20 Wells and Marie Monzo during my PIAT --

21 That stands for "putting it all together." When someone
22 was trying to get promoted to a store manager position, they
23 would do a bit of a presentation for their district managers
24 and myself to showcase that they were ready.

25 -- during my PIAT as an ASM, crying my eyes out because I

1 felt lost as a partner. You told me, "Jenn, as a partner, you
2 may not know the business side of your role - like
3 understanding the P&L or understanding reports, but you do
4 hold characteristics of a great manager that are not teachable
5 - your drive and willingness to grow and deliver." I recall
6 you even offering to teach me personally if that's what it
7 took.

8 I don't know if there's -- Oh.

9 In my time as a manager, I have referenced this exact
10 moment so many times. When it comes to any kind of
11 development piece, sharing my own personal story or when
12 another partner is also feeling lost, I am where I am because
13 you believed in me and put your stamp of approval to push me
14 forward. And I wanted to let you know that I am so grateful
15 for that.

16 You and Michelle -- that was her district manager -- have
17 taught me so much in my time with you, and I always remember
18 that.

19 I am currently still in the store that I opened when I
20 transitioned to North Carolina, and I'm about to hit my 2-year
21 mark. I have had many people here as well believe in me as
22 you have, and I'm continuing to grow.

23 I have just completed the very first IPLD round for Area
24 141 as well as leading some others for our district.

25 I miss you all greatly up there, and still connect with a

1 few managers in the Southern New Jersey area. I hope that you
2 and your family are doing well.

3 Again, thank you so much for believing in me.

4 Q. You forwarded that email on Friday the 27th to Ms. Hymes.
5 Correct?

6 A. I did.

7 Q. Can you read what you said to Ms. Hymes?

8 A. Do you ever notice when you need to hear it the most,
9 someone reaches out to tell you they appreciate you. I hope
10 you aren't reading this until you are back --

11 Camille must have been tapped out at this time.

12 -- and that you didn't watch the partner open forum
13 today. I didn't either, by the way, I was at 18th and Spruce
14 at the time. But I talked to TJ after and he said Rossann
15 said during the partner open forum that Camille Hymes is the
16 kind of leader she aspires to be.

17 I want you to know I feel the same and I so appreciate
18 who you are and all of your support. Thank you for being you.
19 Enjoy this note. I certainly did. Jen has been gone from
20 area 71 -- that was what they called the area that I
21 oversaw -- for two years, transferred to North Carolina.

22 Talk soon, Shannon.

23 Q. This is one week before they start drafting your release
24 severance agreement.

25 Did you have any indication whatsoever that your job was

1 in jeopardy?

2 A. No, never.

3 Q. Let's look at 79.

4 This is from April 26th. The bottom is from Andrea
5 Monroe, the -- it's coming from her email, the Black Partners
6 Network.

7 She says: Partners, thank you for taking the time to
8 connect yesterday. We appreciate the candor and the
9 thoughtful discussion. The issues and concerns raised are all
10 valid. We intend to make every effort to communicate those
11 concerns and work to find a resolution.

12 As stated, please reach out with additional thoughts or
13 concerns.

14 Again, thank you for trusting the BPN and looking out for
15 upcoming discussion dates.

16 And then you respond on the 27th to her, can you read
17 what you said there?

18 A. Hi Andrea. I'd love to engage the BPN as well as the
19 WDN -- that was the women's development network -- AFN, the
20 Armed Forces Network -- and Oradell Café around some
21 additional listening tours like what you did this week and
22 maybe ongoing events as we continue to move forward.

23 Please look for a note coming from me to all the network
24 leaders and thank you for so quickly putting this together. I
25 think it was truly needed at this time for the partners.

1 Talk soon, Shannon.

2 Q. Let's look at 151.

3 151 is an email down at the bottom to Dennis.

4 And who is Dennis?

5 A. That would have been Dennis Brockman. He had previously
6 been a regional director peer. He was in DC. But at this
7 point, he had moved, I think, back to maybe Chicago, and he, I
8 believe, had been promoted to Camille's level, a regional vice
9 president, at this time.

10 Q. He had come into Philadelphia to -- during this time and
11 went and visited the stores and visited the different partners
12 in the stores?

13 A. That's correct. When we were tapped out, meaning to take
14 the time off, they would bring in leaders from outside the
15 market to help support so that there was still supporting
16 coverage to help the stores.

17 Q. And can you read what you said to him at the bottom
18 there?

19 A. Hi Dennis, I'm sure Camille shared that I was "tapped
20 out" the weekend you came in and I didn't even know you were
21 in town supporting. Camille mentioned something about "and I
22 looked over at Dennis..." and I asked Dennis who? At any
23 rate, I wanted to reach out and express my appreciation for
24 coming in to Philly to support Camille and my team over the
25 weekend.

1 It truly does take a village...

2 Talk soon, Shannon.

3 Q. And what was Mr. Brockman's response to you?

4 A. Hey Shannon, it was my pleasure, thanks for your
5 leadership and guidance through the lens of our mission during
6 these difficult times. As always one team. Dennis.

7 Q. He was a VP?

8 A. Yes. I believe he -- at this point, he was the same
9 level as Camille, a vice president.

10 Q. You're aware around this time, there was some discussion
11 about you being nominated for a community leadership position
12 that would be a TLA, or a temporary leadership assignment.

13 Correct? Temporary limited assignment?

14 A. That's correct.

15 Q. And were you interested in that position?

16 A. When I first originally heard about the position, I
17 didn't necessarily think of myself for it. But I did enjoy
18 working in the community space. I had a lot of community
19 relationships in Philadelphia and throughout my region. And I
20 was very honored that my boss, Camille, had put me forth as
21 someone she supported for this role. I thought -- I had had a
22 TLA once before, that Hamptons TLA, and it resulted in a
23 promotion to the regional director role, so this might have
24 turned into some other role within the organization.

25 Q. Let's take a look at 86.

1 86 is a message that came out from Rossann Williams.

2 Correct?

3 A. That's correct.

4 Q. And that was on May 2, 2018?

5 A. That's correct.

6 Q. And this announcement lets everyone know that Starbucks
7 had reached a settlement with the two gentlemen who were
8 arrested. Correct?

9 A. It does.

10 Q. And is Ms. Williams relaying here that as they prepare
11 for next steps, that there would be training happening on
12 May 29th where no partner would be asked to lead or
13 facilitate, but all partners would be in a learner role?

14 A. That's correct.

15 Q. Were you on board with the diversity training?

16 A. Of course. Absolutely.

17 Q. Did you become aware on this date that the gentlemen also
18 went on and spoke with Robin Roberts about the settlement?

19 A. Yes, I was aware.

20 Q. And what did you hear them say about that part of the
21 promises that were being made by the CEO?

22 A. Kevin Johnson had told them that he would be their
23 personal mentor. He was the CEO of Starbucks at the time. He
24 said that additional action would be taken, that it didn't
25 stop here. This was only the beginning. And the two men

1 talked about on Good Morning America that they were seemingly
2 excited to have him as a mentor.

3 Q. Did you learn around that time that folks from Seattle
4 were flying back in to have meetings in Philadelphia about
5 next steps?

6 A. I did. So after the settlement was announced and the men
7 were on Good Morning America, the media coverage increased
8 again, and the spotlight was kind of back on Philadelphia. So
9 at that point, a bunch of people were flying back out to the
10 market.

11 Q. Did you learn on that same day that the community
12 leadership position for which you were in contention, that you
13 would not be getting that?

14 A. I did. I heard from Shannon Boldizsar, who would have
15 been the person that that position reported to, the position
16 was being put on hold.

17 Q. Was there any indication whatsoever from anybody that
18 your job was in jeopardy as of this point?

19 A. No, no.

20 Q. Let's take a look at 158.

21 The first email just to orient in time is May 3rd, which
22 is the day after.

23 And you are sending this to Brett Battes and Camille
24 Hymes and Ebony Johnson.

25 And if we look to the actual message, can you say what

1 you were saying there?

2 A. I am sending you a note that we intend to send out to our
3 Philadelphia store managers. Are you able to please review
4 and let me know if you feel this is in alignment with the
5 direction we plan on taking around Safe & Welcoming.

6 Many thanks.

7 Q. Why were you feeling that you need to send something out?

8 A. So like I said, we had done away with Safe and Welcoming
9 but that left kind of an absence for our in-store partners of
10 what to do in cases of drugs in the store, someone in the
11 bathroom, homelessness in the store. And, quite frankly, the
12 store folks were afraid to even call the police, even if it
13 was an extreme situation, because of what had obviously
14 happened at 18th and Spruce.

15 So I felt the need to send something, hey, I understand
16 where, you know, your concerns, that you don't have a real
17 policy at this point to go to, and let them know that we were
18 working on it, and we'd figure it out.

19 Q. But it wasn't your role to actually develop this policy
20 itself?

21 A. Oh, no. No. It was just that it was in place, and then
22 it wasn't in place, and now we were still having the issues in
23 the stores, so we were trying to figure out: Okay. What are
24 we going to put in place for our stores so they feel
25 supported?

1 Q. And Mr. Battes, was his role in a media role?

2 A. I believe so.

3 Q. What does he say to you in response?

4 A. I believe he sends it to Lisa.

5 Q. Oh, you're not on this particular email.

6 What does it say?

7 A. Lisa, There is a request from the local Philadelphia
8 leadership team to send a message to stores. Given the
9 tremendous sensitivity to anything that is communicated to
10 stores, would you partner with Camille and her local team to
11 guide appropriate wording, content, and next steps.

12 Thanks, Brett.

13 Q. And then Lisa responds?

14 A. Hi Guys - The only flag to change is the first line, "as
15 we removed the previously shared 'Safe & Welcoming'
16 procedures" as that isn't something we can have be made
17 public.

18 Q. And what was the concern around that, that they didn't
19 want the public to know about the Safe and Welcoming
20 procedure?

21 A. Well, in the beginning, like you heard yesterday, there
22 was support for what had happened initially with Holly. She
23 had followed the policy. Kevin was saying it was our policy
24 and our training, and that's what we need to focus on, not the
25 person.

1 But as that was not received well with, you know, the
2 protest activity and everything that was happening, the --
3 kind of the storyline changed, and it was Holly, you know, as
4 sort of a rogue store manager, had made this bad decision, and
5 they had kind of abandoned the Safe and Welcoming procedures
6 as not really owning it anymore, so they obviously wanted me
7 to take that line out in case, I guess, what my note ended up
8 being made public. They did not want that out.

9 Q. And then Ms. Hymes responds to you?

10 A. Wanna take another shot at that line, smiley emoji?

11 Q. So Ms. Hymes was engaging you to write this note at this
12 time to go out and having you revise it, but, in fact, they're
13 going to draft your release and nondisclosure agreement the
14 next day. Correct?

15 A. Obviously, I found that out later. I didn't know that at
16 the time, but yes.

17 Q. And you were planning -- your future plans, as it
18 pertained to this whole situation and your work, involved
19 continuing to be engaged with the situation and help work
20 through it. Correct?

21 A. 100 percent. There was one conversation, and it might
22 have been the second or third, where I remember Camille, my
23 boss, saying to me: We may be operating in this kind of state
24 for the next year-and-a-half to two years. Is that something
25 you want to do?

1 And she said: You know, think about it overnight and let
2 me know tomorrow.

3 The next day, we had a meeting in her hotel, and I told
4 her absolutely, I was in. I wanted to be there to support the
5 Philadelphia partners in my region to move forward through
6 this situation.

7 Q. And is this a document that you had drafted around that
8 time concerning your plans for the following couple of weeks?

9 A. It was. I sent this out to all the partners: On
10 Wednesday, May 16th, and Wednesday, May 23rd, I will be at
11 16th and Arch -- that's a store in the city -- from 12:00 to
12 4:00 for open office hours, and I'm interested in hearing from
13 you suggestions on how we can better communicate effectively,
14 what is working/not working in your stores, what your personal
15 experiences are as a Starbucks partner, and what are your
16 biggest challenges.

17 If you would like to share, please stop by between the
18 12:00 and 4:00 time frame.

19 I look forward to connecting with you then.

20 Shannon.

21 Q. On Friday the 4th, you were scheduled to just have a
22 regular workday in Philadelphia, correct, at first?

23 A. That's correct.

24 Q. And then, did that change?

25 A. It did. A bunch of people came back to town.

1 Q. When you say "a bunch of people," do you mean the
2 high-level executives from Seattle?

3 A. That's correct.

4 Q. Okay.

5 A. And we met that morning at the store at 18th and Spruce.
6 And there were different groups of people that were going to
7 be traveling together throughout the stores. And I was told
8 by my boss to travel the stores on my own. And I thought that
9 seemed odd, that I would be just not a part of one of these
10 broader groups.

11 On the way into the city that morning, I had had a call
12 with Camille in the car, where she said to me: It's bad,
13 Shannon. It's really, really bad. We're all on the line
14 here.

15 And when it was determined that I was going to hit stores
16 on my own, I thought that seemed odd.

17 That day I ended up walking, I think, 8 miles in the city
18 hitting stores on my own. That was what I was told I was
19 going to do, so that's what I did.

20 And one of those stops was to see a girl, Nicola, a store
21 manager, who the previous night had had an incident happen in
22 her store.

23 Q. Let's take a look at 162.

24 162 begins with an incident call on May 3rd at 3:40?

25 A. It's not on my screen.

1 Q. My fault. There we go.

2 And this just says -- it's from a support email at
3 Starbucks: I am sending this as an incident FYI.

4 And can you read the synopsis down there?

5 A. Sure. Synopsis: Partner said they had to call police
6 because a customer was lunging at them and firefighters.

7 Partner said customer's eyes were red and he was spitting in
8 her face, this customer was also shaking.

9 Q. Okay. And then, that goes from Ben Trinsey to you, and
10 then you send an email on May 3rd in the evening to Camille to
11 let her know about this.

12 Can you read what this says there?

13 A. Sure.

14 Hi Camille, I spoke with Nicola, the store manager at 8th
15 & Walnut, who was involved in the situation below. She is
16 currently at the emergency room being tested, but was in
17 fairly good spirits when I spoke to her, or as well as could
18 be expected. She shared that she is so "desensitized to this
19 type of situation" that she was just glad she didn't get stuck
20 with a needle. She also shared that she was glad she was in
21 the store versus a shift as she felt more confident to handle
22 the situation.

23 Q. When she says "shift," does she mean a shift supervisor?

24 A. Right. So the manager on duty would have been a store
25 manager or possibly a shift supervisor. She was saying she

1 was glad it was her, that she was better equipped to handle it
2 than a shift supervisor would have been.

3 Q. Okay. And can you just -- a little slower --

4 A. Sorry.

5 Q. -- start at "Her concerns"?

6 A. She also -- okay. Sorry.

7 Her concerns are that with the warmer weather, the
8 transient population will be coming in more frequently for the
9 air conditioning, as well as the fact that two mental health
10 facilities just recently shut down, leaving nowhere for the
11 patients to go but on the streets. She shared that
12 previously, four officers frequented her store multiple times
13 per day but they shared with her that they were told by their
14 supervising officers that they shouldn't be frequenting our
15 stores anymore. This is unfortunate, and police didn't
16 respond to today's incident for two-and-a-half hours.

17 Of course at that point, the situation was over.

18 Nicola shared that she and her partners aren't security
19 guards, are really not equipped to deal with this without
20 police support. This is certainly disheartening, what
21 happened at the store as well as the police response time.
22 But we will move forward. At this point, we will work to
23 rebuild the relationships we previously had with police in our
24 stores, and I'm confident when we get the local P&AP person --

25 We had been approved, as I shared, Ronda, our P&AP

1 person, covered the whole Mid-Atlantic. After this incident,
2 we had been approved for a P&AP person that would be specific
3 to the area, so that was kind of exciting.

4 I'm confident when we get the local P&AP person, they
5 will also be able to help with this moving forward.

6 Nicola is working tomorrow morning and I will be visiting
7 her at her store to check in on her.

8 Q. So that was the 3rd.

9 And then the 4th -- the same day, actually, Camille
10 responds to you.

11 And what does she say?

12 A. It must have been more than just me, because she --

13 Q. Oh, let me go up. I think we can see the whole reach of
14 people that she sends this email to, and then I can go back so
15 you can read it.

16 Where it says Partners?

17 A. Oh, I'm sorry.

18 Partners, Please see the latest incident that occurred in
19 our store this afternoon. Aside from the extremely concerning
20 exchange of body fluids onto our store manager is the
21 unconfirmed direction of the Philadelphia Police Department
22 leadership to avoid being in our stores. It took the police
23 department two-and-a-half hours to respond.

24 Any guidance on how we may engage with the police
25 department to rebuild the relationship or confirm their

1 position?

2 Q. So this is the night of May 3rd. And you were sent that
3 email. You were one of the recipients, right, where she's
4 asking for some suggestions?

5 A. Yes, I believe so.

6 Q. Yeah, I could highlight that. As well as some of the
7 other folks that we've talked about in this case, Zeta Smith
8 and Dina Campbell (sic) and Andrea Moudakis and Shannon
9 Boldizsar. Correct?

10 A. That's correct.

11 Q. What does Ronda Knight -- and Ronda Knight was the person
12 who originally did the investigation into the original
13 incident in -- on April 12th, and did the incident report.
14 Correct?

15 A. That's correct. Ronda Knight was our P&AP person,
16 partner and asset protection.

17 Ronda responds: Camille, I will reach out to Ben and
18 partners in the morning as I'd like a few more details. Then
19 I will be reaching out to police if I can get a lieutenant or
20 above. I will update all once I have more information.
21 High-risk incidents such as this, I would like for someone to
22 contact me as soon as possible when they occur so we can start
23 working on them or with police.

24 Q. And then just at the top is the rest of it.

25 A. Camille says: Partners --

1 Q. Oh, that one was already read.

2 It was just the thanks so much at the top.

3 A. Thanks so much for your support.

4 Q. And then you write --

5 A. So Ronda had said something in her email something to the
6 effect of I didn't know about it until just now. I wasn't
7 made aware. Something to that effect. It's off the screen.

8 Q. Oh, sorry about that.

9 But you were responding back and engaging with --

10 A. Just to Ronda to let her know.

11 I'm not sure if Ben called directly -- that was the
12 district manager of the store -- that it happened. But you
13 were copied on the message he sent to me at 4:00. Let me know
14 how the discussion goes tomorrow with the police.

15 Q. And Ms. Hymes was aware of this situation with Nicola.

16 Correct?

17 A. Yes. It looks like Ben sent it to me at 4:00, and I
18 forwarded it to Camille, Nathalie, Ebony, maybe more. I'm not
19 sure who.

20 Q. If we go to the top of this chain -- and this is in
21 regards to the issue we had just discussed with Nicola, Ebony
22 Johnson says: Team, I had another connect with Nicola
23 tonight, and she is a trouper. She will be at work tomorrow.
24 She seemed to be doing well. She said she isn't afraid to go
25 to work and that she wants to be there for her partners. I'm

1 definitely adding her to my list of people to see while in
2 town next week. Her tenacity is pretty admirable. They did
3 some blood work and she should know the results in a couple of
4 days.

5 Shannon, thank you for going to check on her tomorrow
6 while you're out and about. Ebony.

7 And so this was really like around either midnight or --
8 of May 3rd that she's sending that, 9:00?

9 A. That's correct.

10 Q. And then Camille writes back on May 4th: Thank you,
11 Ebony and Shannon. We appreciate the close connections you're
12 keeping with Nicola.

13 A. That's correct.

14 Q. Let's look at 132.

15 This is also on May 4th.

16 You sent an email to Camille, saying: Below is the list
17 of hotspot stores in Philadelphia that we discussed roving
18 patrol for.

19 And what was roving patrol?

20 A. So we were talking about having continued security that
21 would go from store to store and specifically in these hotspot
22 stores where we had high incidents happening of drugs, theft,
23 crime, homelessness.

24 Q. And this was -- I'm sorry.

25 This was something that you were instrumental in helping

1 to suggest some solutions to the problems?

2 A. That's correct.

3 Q. And you still -- going from Friday into Monday, not aware
4 that your -- that a decision had been made to terminate you
5 for being "emotionally and physically unavailable or absent"
6 during this time?

7 A. No. I was not aware at all.

8 Q. Let's look at 140.

9 This is from Monday, May 7.

10 And by the way, you were off the 5th and the 6th. You
11 were tapped out. Correct?

12 A. That's correct.

13 Q. If we look at Exhibit 140, this is from May 7th early in
14 the morning, you send a Monday update.

15 Can you explain what the Monday update is?

16 A. Sure. As a regional director, every week we would send
17 an update to Camille and copy the regionals. And it was a bit
18 of a template, that's what's in bold: What were you most
19 proud of this past week? And then we would kind of fill in
20 the information.

21 Q. And as part of that week, you received another thank you
22 from one of your peers or subordinates?

23 A. Michelle Liontas was a district manager of mine.

24 Q. What did she say there?

25 A. On May 7th: Thank you for a wonderful day last week, all

1 your support and insight and especially making my birthday
2 special. Michelle. Thank you.

3 The tag line was: Delivering our very best in all we do.
4 Holding ourselves accountable for results.

5 Q. Part of the Monday update you have to give is the P&L,
6 the actual -- what your normal day job would be to make sure
7 that the business is running smoothly and that is -- that
8 Starbucks is making money. Correct?

9 A. That's correct.

10 Q. And so you were taking care of that piece of it as well
11 as the other pieces that were coming up as a result of the
12 engagement on the roundtables and such. Correct?

13 A. That's correct.

14 Q. And how were you doing in terms of sales numbers and
15 fiscally?

16 A. This particular week, we had sales of 2.726 million,
17 total revenue in my -- total revenue in the area I oversaw was
18 up 6.1 percent. Comp performance was down 1.3. Comp
19 performance is same store sales year over year. So if your
20 store was open a full year, it would be a comp store, versus
21 AOP which is the annual operating plan of 2.79. So we were
22 behind 68,000.

23 Area level highlights team support for Philly. As I
24 said, we had a lot of district managers outside of Philly
25 coming in to support, so it was a lot of support for our store

1 partners.

2 What worked for the week --

3 Did you want me to keep going?

4 Q. What was the projected sales? What does that mean?

5 A. So for the week that we were starting the projected sales
6 was 2.73 million.

7 Q. And that was just for your region?

8 A. That's correct.

9 Q. And when you say "what worked for the week," lots of
10 continued support in the city, and that meant this previous
11 week these folks were in town. Correct?

12 A. That's right.

13 Q. Rossann Williams, very high up in the company. Correct?

14 A. I think she was the president of retail North America at
15 the time.

16 Q. And she -- right below her was Zeta Smith?

17 A. That's correct.

18 Q. Let's look at Exhibit 29.

19 This is also May 7th in the morning.

20 This is an email string regarding YouthBuild.

21 And was there some concern after the events on April 12th
22 that YouthBuild may be pulling back on their relationship with
23 Starbucks?

24 A. That's correct.

25 Q. And on May 4th, which was that Friday, Ms. Hymes sends

1 you an email and says: Can you please help me recount the
2 events leading up to the cancellation of Wired and the expend
3 to Starbucks?

4 And then she sends that on May 7th, following up asking
5 you to provide insight.

6 Can you -- well, we can just go up to the email.

7 You responded to her on that May 7th.

8 Can you read what you said there?

9 A. Sure. I think she originally sent this email when I was
10 tapped out, so she followed up Monday morning when I was back.

11 And I say: Attached is the note I received from Meredith
12 Molloy -- Meredith was -- she worked at YouthBuild. I think
13 she might have been one of -- I'm not sure what her position
14 was, but she was one of our main contacts.

15 They didn't end the partnership but felt the timing of
16 the week-long campaign should be postponed. So we had planned
17 to do a campaign with YouthBuild, Wired for YB, where stickers
18 would be put on cups that customers came in and purchased that
19 said "Wired for YB" and they would post pictures of themselves
20 with these cups and the stickers on social media, and it
21 didn't feel like the right time to do it because of everything
22 happening.

23 So that's why she felt the timing should be postponed.

24 Since then I had a conversation with Rodney Hines and
25 upon his advice, Ben, Carmen and I met with a small group of

1 faculty to talk about the situation and how we as a company
2 and also as Philadelphia Starbucks partners are working
3 through it.

4 YouthBuild wants to support us in our efforts as we move
5 through this time. They still feel we are a valued partner
6 and had asked Ben to go to a conference in Baltimore to speak
7 on behalf of our partnership, speaking to a large audience
8 about how we work together. This conference is in June.

9 This as far as cost to us, I've also enclosed the
10 receipts for the stickers that we paid for.

11 YouthBuild bought the T-shirts, 15 per store, and had
12 already delivered them to Haddonfield for the district
13 managers to distribute.

14 The sticker cost was allocated to the stores, about 6,000
15 total or \$60 per store.

16 I believe we will still do the Wired for YB campaign,
17 they just felt the timing was off.

18 Hope that helps, Shannon.

19 Q. And when they say they asked Ben, who does that refer to?

20 A. Ben Trinsey.

21 Q. And why were they asking for Ben Trinsey to go to the
22 conference in Baltimore?

23 A. So Ben was the community lead for my region. He was very
24 actively involved with YouthBuild and volunteered, I think,
25 once a week in the building, so they certainly, you know, knew

1 Ben and felt very highly of him and his involvement in the
2 partnership.

3 Q. This was at 9:55 in the morning that you sent this email.

4 Shortly after that, like around noon or so, were you
5 called into a meeting to speak with Camille and others?

6 A. I was.

7 Q. Okay. And was the topic of the meeting Ben Trinsey?

8 A. It was.

9 Q. Just to orient the jury again, where the incident took
10 place on April 12th, it was Ms. Hylton's store who reported to
11 Mr. Sykes who reported to you. Correct?

12 A. That's correct.

13 Q. And you reported to Camille Hymes.

14 Mr. Trinsey had the other half of Philadelphia.

15 Can you describe just generally the area of Philadelphia
16 that he had?

17 A. We typically -- we cut the city, Center City, at Broad
18 Street, so you had east of Broad or you had west of Broad.
19 And Paul Sykes had the half of the city with Rittenhouse and
20 other stores, and Ben had the other half of the city with 1201
21 Market, 12th and Market, Macy's, so...

22 Q. Can you tell -- when you went into the meeting, did you
23 know it was going to be about Ben Trinsey?

24 A. I did not.

25 Q. What did they tell you, and who was there and what was

1 said?

2 A. Sure. So the meeting was my boss, Camille Hymes, Paul
3 Pinto, the person you saw yesterday, and Nathalie Cioffi, who
4 was the partner resource. She reported to Paul Pinto. I
5 think she supported Camille.

6 And I was told that through some discussions, there had
7 been some allegations against Ben Trinsey that he was racist,
8 that there had been some pay disparity. A specific assistant
9 manager had complained that she was making less than another
10 assistant manager from a different store, and she felt like it
11 might be because of her race, and that we were going to be
12 placing Ben on suspension to have an investigation.

13 Q. Did you believe that to be true?

14 A. No. I said: Ben is a 15-year partner with the company.
15 I've never heard of any allegation come up about race with
16 Ben. He's definitely not racist. He's my community lead and
17 works with all these community partners.

18 And I also shared that Ben did not have a hand in making
19 the salary decision for the specific assistant manager that
20 was complaining. But I was told that the investigation needed
21 to happen, and I needed to go ahead and place him on
22 suspension the next day.

23 So I took notes as to what the talking points were. I
24 know I was -- marked out something and put in "the volume and
25 seriousness of the allegations." That was what I was told to

1 say.

2 So I took notes to make sure that I covered the right
3 talking points and ultimately left the meeting.

4 Q. Okay. So the plan was for you to go the next morning and
5 suspend Ben. Correct?

6 A. That's correct.

7 Q. And let's look at 131. This is that evening.

8 This is an email that you sent to Ms. Hymes that night on
9 Monday night at 5:25.

10 You say: Touched base with Paul. The stores will be
11 ready for tomorrow's visit. Additionally, Dayna and Jackie
12 were scheduled to be in the city supporting as well and
13 they'll also be in the stores to make sure everything is
14 perfect, with a thumbs-up.

15 Can you describe what is going on right now post the
16 meeting where you're told to suspend Ben.

17 Are you still working and engaging and doing what you've
18 told to do?

19 A. Of course. Somebody was coming in, I think maybe Denise
20 Nelson, who oversaw ops services in Seattle, and, you know, we
21 wanted to make sure that we had the right partners in the
22 stores and the stores showed up well, so I was making sure
23 everything was going to be great for the next day.

24 Q. And then the next morning you go in, and you have the
25 meeting with Ben.

1 A. That's correct. I met Ben at Nathalie Cioffi's hotel.
2 We sat down, the three of us, in the hotel lobby. I explained
3 to Ben that we were placing him on a suspension. I went
4 through the talking points.

5 Ben was obviously in shock. And I told him: You know,
6 the truth will come out, so not to be concerned, that the
7 truth would come out.

8 Not to be concerned, but you could see he was very upset,
9 and I was like: They're going to investigate, and the truth
10 will come out.

11 Q. What were you told you needed to do after you suspended
12 Ben?

13 A. So after that meeting, I went to the store, the 18th and
14 Spruce store, and I held multiple different conference calls,
15 one with Ben's store managers to let them know that Ben was
16 taking personal time off, that's how we were explaining it,
17 and that Brian Dragone, another district manager from outside
18 the city, would be coming in to support the district, you
19 know, during that time that Ben was off.

20 And after I did the call with all the store managers,
21 then I had a separate call with all my district managers to
22 share the same information, that Ben was taking time off, and
23 Brian would be covering.

24 Everyone knew Brian. I had actually hired Brian, but
25 then at some point in a realignment, he no longer reported to

1 me.

2 So after that, then I was told to meet Camille at her
3 hotel.

4 Q. And did you -- her hotel was in Philadelphia?

5 A. It was around the corner from the 18th and Spruce Street
6 store. I think it was called The Warwick or something.

7 Q. So you go to The Warwick, and you go to the hotel lobby,
8 and is Camille waiting for you?

9 A. No. I let her know -- I probably texted her, I think,
10 that I was there. I think she came down when I got there.

11 And she said to me: The situation is not recoverable.

12 At first, I didn't know what that meant.

13 She said: I have to make a change in Philadelphia.

14 And I said: Am I leaving Philadelphia, or am I leaving
15 Starbucks?

16 And she said: You're leaving Starbucks. Come tomorrow
17 to a meeting with me and Paul Pinto prepared to discuss what
18 you would want in a severance package.

19 Q. Did she give you any explanation for why?

20 A. Nope. That was it. "The situation is not recoverable,"
21 that's all she said.

22 Q. Did she have any paperwork for you or anything?

23 A. No.

24 Q. She had never, prior to this, given you any warning that
25 your job was in jeopardy. Right?

1 A. No. Other than that one phone call where she said: It's
2 bad. It's really bad. We're all on the line.

3 You know, I certainly could tell she was nervous and
4 upset, but I didn't feel anything specific to me.

5 Q. And she didn't provide any options for you to stay
6 employed in any way?

7 A. No.

8 Q. How did it make you feel?

9 A. I was devastated. I had worked there for 13 years. I
10 loved the job. I loved the people that I worked with. I
11 loved the company. I was a proud Starbucks partner. I bled
12 green, as they say. And all of a sudden, I felt like I was
13 being thrown out like a piece of trash.

14 And I was in shock.

15 Q. Did you believe that this would happen to you if you were
16 black?

17 A. No.

18 Q. Do you think that Ben Trinsey would have been suspended
19 if he was black?

20 A. I do not. I think more actions had to happen, more heads
21 needed to roll. They certainly were not letting any black
22 people go. It was a very racial situation. So, yeah.

23 Q. When -- after you were terminated, did Starbucks contest
24 your application for unemployment?

25 A. They did.

1 Q. And what did they accuse you of when you tried to apply
2 for unemployment?

3 A. I believe it was misconduct.

4 Q. And nobody had ever told you before that you engaged in
5 any misconduct. Correct?

6 A. No.

7 Q. Did you believe that you were the scapegoat for them?

8 A. I absolutely did. I still do.

9 Q. What was it like for you in the time after you were
10 terminated and you go home? You're still supporting your
11 kids. Correct?

12 A. I was.

13 Q. And can you describe just like physically and mentally
14 what that was like afterwards?

15 A. It was awful. I was obviously very depressed. I didn't
16 know what I was going to do. I had what I thought was this
17 great career going, with a company that was amazing to work
18 for.

19 At that point, I had no idea what I was even going to do.
20 To be honest with you, I had never even really looked for a
21 job. I had always kind of been recruited, so I didn't even
22 have an updated resume. I had no idea what I was going to do.
23 It was a very distressing time.

24 Q. Was it affecting the way in which, like, your daily day
25 was? What did that become for you?

1 A. You know, I think when you're depressed, you probably
2 sleep too much or maybe you can't sleep, some people. I
3 probably sleep too much.

4 I wasn't eating well, migraines. It was just a really,
5 really bad time.

6 Q. How about medication? Did you --

7 A. I was on antidepression medication.

8 Q. And seeing a therapist?

9 A. I was.

10 Q. Did you try to find another job?

11 A. At first, I wasn't sure what I was going to do. And then
12 as luck would have it, Raymour & Flanigan -- a recruiter from
13 there called me. The boss that I had before Camille, his name
14 was Victor Heutz. He had been interviewing with Raymour &
15 Flanigan, and they wanted him to move to the Philadelphia
16 area. I think he lived in North Jersey, and he didn't want to
17 move, so he said: You should speak to Shannon Phillips.

18 And they called me, and I started with them that August
19 of 2018.

20 Q. Was it anywhere near the level of income and
21 possibilities that you had at Starbucks being at Raymour?

22 A. No. Raymour & Flanigan is a small, privately owned
23 company with about 120-some stores. There's no stock options,
24 obviously, because it's privately owned. So the salary is
25 very different. The additional income opportunities are very

1 different. The opportunity for advancement is regional
2 director, which is what I am. I have six stores.

3 My boss is a VP, and he reports to the owners. So the
4 only additional opportunity would be to get to a VP.

5 MR. HARRIS: Your Honor? Excuse me, Your Honor, may
6 we see you at sidebar briefly?

7 THE COURT: All right. Come to sidebar.

8 (At sidebar.)

9 MR. HARRIS: Your Honor, I didn't want to interrupt
10 counsel's inquiry. I just wanted to have a quick comfort
11 break, but --

12 MS. MATTIACCI: I literally have one question left.

13 THE COURT: I was going to wait until the end of her
14 questioning.

15 MR. HARRIS: Okay. That's fine.

16 THE COURT: You are getting to the end?

17 MS. MATTIACCI: He knows that too.

18 THE COURT: All right. Ask your last question.

19 (End of sidebar.)

20 BY MS. MATTIACCI:

21 Q. Ms. Phillips, what's been the worst part of all of this
22 for you?

23 A. It was devastating. Quite frankly, over five years
24 later, it's still devastating.

25 I always supported the company, I loved what I did, I

1 loved the company, I loved the people, and I felt like it was
2 all taken away from me, and I didn't feel like I did anything
3 wrong. I was very much engaged. I was very much supporting
4 the team.

5 And, yet, I think more heads had to roll, and I had to be
6 one of them. And it was devastating for that to be how it
7 ended.

8 Q. When they asked you to sign the severance agreement, it
9 was for six months of pay. Correct?

10 A. That's correct.

11 Q. And why at that time did you not agree to sign that
12 document?

13 A. A lot of it had to do with the fact that they wanted me
14 to sign a nondisclosure agreement, and I had seen what
15 happened to Holly. She signed hers over burgers and fries,
16 and all of the sudden, the company talked about her. They
17 talked about her in the news and said things about her.

18 And certainly my reputation, I don't believe anyone at
19 Starbucks would say they thought I was racist in any way.
20 That's never been said about me, but I had concerns about
21 signing an NDA and what that would mean, what would happen
22 after.

23 Q. And in connection, being a person that was white, being
24 fired in connection with the events that occurred on April
25 12th and then not being able to defend yourself?

1 A. Exactly.

2 MS. MATTIACCI: I don't have any further questions.

3 THE COURT: All right. Members of the jury, we'll
4 take our midmorning recess at this point.

5 Try to come back in about five, ten minutes.

6 All right. We stand in recess.

7 (Jury out.)

8 (Recess at 11:34 a.m. until 11:53 a.m.)

9 THE COURT: Bring in the jury.

10 (Jury in.)

11 THE COURT: Please be seated.

12 Cross-examination.

13 CROSS-EXAMINATION

14 BY MR. HARRIS:

15 Q. Ms. Phillips, you testified that immediately after the
16 incident, that the events were "horrible."

17 Did I get that accurate?

18 A. I'm sorry, horrible?

19 Q. That the events were horrible. Do you remember
20 testifying?

21 A. That's correct.

22 Q. What was horrible?

23 A. The whole thing was horrible.

24 It was horrible that two men were arrested in one of the
25 stores that ultimately fell under my scope.

1 It was horrible what happened as a result of it. The
2 whole situation was horrible.

3 Q. When you say "what happened as a result," what was
4 horrible specifically that you're referring to?

5 MS. MATTIACCI: Objection, asked and answered, Your
6 Honor.

7 THE COURT: Wait a minute.

8 I didn't hear your objection.

9 MS. MATTIACCI: I said he -- asked and answered. He
10 just asked her twice what was horrible about it. She just
11 gave the answer as to what was horrible about it.

12 THE COURT: All right. I'll sustain it.

13 Can you ask another question.

14 BY MR. HARRIS:

15 Q. Did you think the protests were horrible?

16 A. It was a really bad situation. Yes. When people were
17 coming into the stores screaming with bullhorns, it was scary,
18 for me personally. I was afraid for the partners.

19 Certainly I think everyone should be able to exercise
20 free speech and say what -- you know, how they felt, but being
21 on the receiving end, it was horrible, yes. Someone screamed
22 in my face that I was a white supremacist because I worked at
23 Starbucks. It was a horrible situation.

24 Q. Did you find the protests were justifiable?

25 A. Did I think they were justifiable? Of course. If all I

1 saw was this viral video of two men being arrested, I might
2 have been there protesting myself. I totally understand why
3 people were very angry.

4 Q. Why do you think that they were angry?

5 A. Because two men were arrested and had seemingly done
6 nothing wrong, and the question was, you know, why were these
7 two men arrested who had done nothing wrong.

8 Q. But you know they did nothing wrong. Right? You agree
9 with that?

10 A. I do agree with that.

11 Q. And you also know that the police were called despite
12 them doing nothing wrong?

13 A. I do know that.

14 Q. And you also are aware that Holly Hylton called the
15 police unjustifiably?

16 A. I'm not sure I agree with that. I think -- I think Holly
17 was a rule follower. I think she had two noncustomers in the
18 store that she invited to become customers, and they declined.
19 And I think she felt like she was following the rules.

20 I -- I wasn't there, obviously, but I felt at the time
21 horrible that it happened. I still feel horrible that it
22 happened.

23 Q. Do you find it justifiable that the police would be
24 called for doing --

25 MS. MATTIACCI: Objection, Your Honor. Asked and

1 answered and irrelevant.

2 MR. HARRIS: May I --

3 THE COURT: I'll sustain the objection. It's been
4 answered already.

5 BY MR. HARRIS:

6 Q. What about the policy that directs a partner to call the
7 police?

8 A. I don't have it in front of me, but if memory serves, it
9 said if you invite -- your first step was to invite them to
10 become customers. I believe she approached them in the café
11 to invite them to become customers. They said they weren't
12 going to buy anything.

13 She said if you don't purchase something and you're a
14 customer (sic), you have to leave. Our cafés are for
15 customers only, and they said we're not leaving. So the card
16 said discreetly go in the back and call the police. That's
17 what she did.

18 Would I have done that? I don't know. I don't think so.
19 I wasn't there. But I don't feel what she did -- I don't
20 believe in my heart, I knew Holly, I don't think she did it
21 because they were black. I think she was -- she likely would
22 have done the same thing if they were noncustomers in the
23 store and they were white. I think she was a rule follower,
24 and she was trying to follow the rules of having the cafés be
25 for customers only.

1 Q. Do you recall preparing a report to Camille Hymes soon
2 after the event, indicating that the two men that were in the
3 store were aggressive?

4 A. That I prepared?

5 Q. Yes.

6 A. I'm not 100 percent sure. If you show me, I will be
7 happy to look at it.

8 Q. You did provide Ms. Camille Hymes a recap of the incident
9 after it happened; did you not?

10 A. I am sure I did, but it was a long time ago, so I can't
11 say specifically what I said.

12 Q. Prior to your testimony did you not have a prep session
13 with your counsel?

14 MS. MATTIACCI: Objection, Your Honor.

15 THE COURT: Overruled.

16 THE WITNESS: A prep session with my counselor?

17 BY MR. HARRIS:

18 Q. Yes. With your counsel, with your lawyer, did you not go
19 over that you were going to be testifying?

20 A. Yes.

21 Q. Didn't look at any documents?

22 A. Did I look at documents? Yes, I looked at some documents
23 to refresh my memory. Uh-huh. But there were thousands of
24 pages of documents, so I can't say that I specifically looked
25 at the report that you're referring to, I'm sorry.

1 Q. Do you recall looking at a report where you sent an email
2 immediately after the incident to Ms. Camille Hymes, your
3 supervisor, identifying specifically what happened on the day
4 of the incident?

5 A. I probably did, uh-huh.

6 Q. Okay. What do you recall in that report that you wrote?

7 A. At that point, I would have spoken to Holly, so it
8 certainly would have been what I had heard from Holly and Paul
9 Sykes, the district manager.

10 Q. Do you recall saying that the gentlemen were being
11 aggressive in that report?

12 A. I don't recall saying it, but I'm sure I did if that's
13 what was relayed to me. I would have certainly shared
14 that.

15 Q. Did you do any independent investigation after the
16 incident to find out whether or not the two individuals that
17 were in the store did anything aggressive?

18 A. That wasn't -- that wouldn't have fallen under me to do
19 an investigation into -- I mean, you're asking if I
20 investigated whether these men were aggressive with Holly.
21 Like I wasn't there, so I don't know.

22 Q. I understand that you weren't there.

23 I'm asking something different.

24 A. Okay.

25 Q. I am asking as the person who is saying Holly was

1 following a policy and that directed her to call the police,
2 did you find out whether or not whether Holly was calling the
3 police was justified on your own?

4 MS. MATTIACCI: Objection, Your Honor, to the
5 relevance of this line.

6 THE COURT: Overruled.

7 THE WITNESS: I'm not sure how I would have known if
8 the men were aggressive. I wasn't there. I didn't have
9 access to the video. I only saw the short clip that was
10 posted that went viral, so I kind of had to take the word from
11 the person that was there.

12 BY MR. HARRIS:

13 Q. You didn't have access to the video?

14 A. No, I did not.

15 Q. Counsel showed you an investigation report, and on the
16 investigation report yesterday, it showed that the video was
17 saved.

18 And you're telling this jury that you didn't have access
19 to it?

20 A. It was saved in the global security in Seattle. It
21 wasn't something I had access to, no.

22 Q. Did you try to get it?

23 A. No. At the time, I think I was allowing P&AP to do their
24 job and I was staying in my lane. That was not my job to
25 investigate.

1 Q. I didn't ask you if you investigated.

2 I asked you, did you try to get it for yourself to
3 conduct your own independent investigation to assess whether
4 or not Holly Hylton did the right thing?

5 A. So you just said, I'm not asking if you investigated, but
6 then you said I'm asking if you did an investigation?

7 Q. No, I'm asking --

8 A. I just want to make sure I understand the question.

9 Q. Excellent point.

10 I'm asking whether or not you saw any idea to conduct any
11 sort of investigation as to whether or not Holly's actions
12 were justifiable or not?

13 She reported up through you. Yes?

14 A. She did. She reported to a district manager, Paul, who
15 reported to me. Yes.

16 Q. There was a firestorm about Holly Hylton's actions
17 specifically. Yes?

18 A. Yes.

19 Q. And at some point you said that there was a change in
20 direction by the leadership of the organization.

21 Did you want to find out whether or not -- what caused
22 that change in direction?

23 A. At the time, we were having protests in and around the
24 stores. I wasn't thinking about I should do some sort of
25 independent investigation that would not have fallen to my job

1 description or responsibility.

2 I was thinking what do we need to do now and going
3 forward to make sure, one, this doesn't happen again, and two,
4 how do we keep people safe in the stores. And a good
5 experience still for the customers.

6 MR. HARRIS: May the witness be shown Joint Exhibit
7 Number 6.

8 BY MR. HARRIS:

9 Q. Showing you what's been marked as Joint Exhibit Number 6.
10 Do you recognize this document, ma'am?

11 A. I do.

12 Q. This was an email from you to John Kelly, Reggie Borges,
13 Rossann Williams, Zeta Smith, Camille Hymes, Frances Ericson,
14 Garrett Petraia, Paul Sykes, Ronda Knight, Jaime Riley,
15 Shannon Boldizsar, and the subject line says: Regarding the
16 incident involving the police at Philadelphia Starbucks.

17 A. That's correct.

18 Q. And it was an email dated on Friday, April 13th at
19 8:27 a.m.

20 A. I think it was at 11:01. I'm sorry.

21 Q. Yes, that's correct. I stand corrected. 11:01 was the
22 email you sent out.

23 The response came from Ms. Hymes, your supervisor, at
24 Friday, April 13th at 8:27 a.m.

25 Is that what it says?

1 A. I think probably on my end it was 11:01, and she probably
2 responded at 11:27, but maybe because it might have thought
3 she was a Seattle partner, so that might explain the time
4 difference.

5 Q. Understood, but this is the email you sent out?

6 A. Yes.

7 Q. You recognize this document?

8 A. I do.

9 Q. And this is the recap you provided Ms. Hymes as to the
10 incident that took place at the store at 18th and Spruce; is
11 it not?

12 A. This is the recap that I sent to John Kelly, Reggie
13 Borges, Rossann Williams, and I copied Camille, yes. I was
14 asked to provide a recap.

15 Q. Okay. You've seen this document before. It's not the
16 first time?

17 A. That's correct.

18 MR. HARRIS: Okay. May this be shown to the jury,
19 Judge?

20 THE COURT: Yes.

21 MR. HARRIS: Can we go to the second bullet, please?

22 BY MR. HARRIS:

23 Q. Well, first, it says: The store was recently robbed at
24 gunpoint. This may have contributed to why the police
25 department responded quickly; is that correct?

1 A. That's correct.

2 Q. Okay. And the second bullet point says: The store
3 manager --

4 SM, that's store manager, correct?

5 A. That's correct.

6 Q. All right.

7 -- approached the men in the café multiple times.

8 That's what it says?

9 A. Yes, that's what it says.

10 Q. Were you aware that they were approached multiple times
11 by the store manager?

12 A. That was what was shared with me, yes.

13 Q. But you've subsequently found out that that's inaccurate.
14 Correct?

15 A. I don't know if she approached them multiple times. I
16 know she approached them and asked them to become customers,
17 and they said: We're not buying anything.

18 She said they told her: If you don't like it, call the
19 cops. She was not sure what to do, so she did call the police
20 for support.

21 Q. Ms. Phillips, you know that that's not accurate. They
22 were not approached multiple times. Correct?

23 A. At the time that I wrote this, I was going off of what
24 was shared with me either from Holly directly or from her
25 district manager, Paul Sykes.

1 So I don't know if she approached them multiple times. I
2 only ever saw the viral video. That's what she said. That's
3 what I put in the recap.

4 Q. As you sit here, are you telling this jury that they were
5 approached multiple times?

6 A. I'm telling you that she --

7 MS. MATTIACCI: Objection, Your Honor.

8 THE WITNESS: That's what she just said.

9 MR. HARRIS: That's not what she said, Judge.

10 MS. MATTIACCI: Asked and answered.

11 THE COURT: Sustained.

12 BY MR. HARRIS:

13 Q. She was met with aggression.

14 Did you also say that?

15 A. That's what I put in the recap.

16 Q. Yes. But as you sit here today, you know that that
17 wasn't true as well?

18 A. I don't know if she was met with aggression. Again, I
19 wasn't there.

20 Q. Okay. The men were aggressive with police.

21 Do you see that as well?

22 A. I do.

23 Q. You know that also wasn't true. Correct?

24 A. I know that the police came to the store and also asked
25 the men to either please become customers or leave the store,

1 and they did not respond to what the police asked, so the
2 police made the decision to arrest them.

3 That wasn't a decision that we had made, obviously. And,
4 again, I was recapping what was shared with me.

5 Q. I understand you were recapping what was shared, but as
6 you sit here today, you know that that information that you
7 have in this document is inaccurate?

8 A. I can't say that it's inaccurate. I don't know if the
9 men were aggressive with the police. I was not there. I was
10 not a police officer there. I was not a bystander. I don't
11 know. This is what was shared with me for the purposes of the
12 next day after the incident. I was recapping what was shared
13 with me because I was asked to.

14 Q. When in the -- where in the document does it say that you
15 point out that this information was shared with you by the
16 store manager? Where do you say that?

17 A. I don't say that, but that's what it was.

18 I shared that we worked with partner resources, P&AP, and
19 Shannon Boldizsar to support the Safe and Welcoming training
20 for all the partners. The SMs went through this training with
21 the partner resource and partner and asset protection advisor
22 in December, and then the training was completed with all the
23 partners.

24 And the store manager handled the situation exactly as
25 she was trained from Safe and Welcoming.

1 Q. Okay. And then you go on to say: If I --

2 That same bullet, after where you state that the men were
3 aggressive with the police, which caused the police to arrest
4 for disorderly conduct.

5 Do you not say that?

6 A. I do.

7 Q. Okay.

8 A. I didn't have any conversation with the police. This was
9 relayed to me, but I believe that they were arrested for
10 disorderly conduct. I'm not 100 percent sure that's correct.

11 Today sitting here, I'm not sure if that's what they were
12 arrested for. I only knew what was shared to me at that time.

13 Q. Okay. The store manager handled the situation exactly as
14 she was trained from Safe and Welcoming.

15 Is that what you said?

16 A. That's what I said.

17 Q. And you agree with that?

18 A. I mean, the Safe and Welcoming policy was very clear. It
19 said: You had to be a customer to use the restroom. You had
20 to be a customer to use the store.

21 Obviously, the intent was not to have people arrested in
22 the stores. We just wanted to keep the stores safe for
23 customers and partners, and we had gone through a lot of
24 incidents. It was very disheartening for partners to work in
25 an environment where they were finding dead people in the

1 bathroom.

2 I had a partner get stuck with a needle emptying the
3 garbage in a restroom and get hepatitis and have to do six
4 months of HIV meds.

5 As a part-time barista, you're not paid enough to have to
6 get stuck with needles.

7 You know, this was a company program that we adopted in
8 Philadelphia because we wanted our stores to be safe for our
9 partners and customers and have a good environment for
10 everyone. That was the intent. That was probably certainly
11 the intent of the folks that designed it, but that was what it
12 said: Discreetly go in the back room and call police.

13 Q. Is there anything about the policy that would suggest
14 that the way that Donte and Rashon presented would suggest
15 that they were somehow homeless or using drugs of any kind?

16 A. No. But the policy talked about being a noncustomer, not
17 if they looked like they're homeless or if they look like they
18 might be a drug user. You were either a customer or you were
19 not a customer.

20 Q. And wouldn't the facts determine, for example, how long
21 those individuals would actually be in the store to determine
22 whether or not they posed a threat or some other issue that
23 would require calling the police?

24 A. I'm sorry, ask me again? I'm confused.

25 Q. Yes. Wasn't the point of calling the police based on

1 someone not just being in the store doing absolutely nothing
2 but based on posing a threat of some sort. Yes?

3 A. Yes. I think it said: If you felt they were being
4 aggressive, or something to that effect, you should call the
5 police.

6 Q. Yes. But nothing how Donte and Rashon presented would
7 suggest that they were a threat?

8 MS. MATTIACCI: Objection, asked and answered. We've
9 been down this road.

10 MR. HARRIS: You saw a clip and -- I'll rephrase,
11 Judge.

12 THE COURT: Overruled. You can ask again.

13 THE WITNESS: The clip that I saw only showed the
14 police arresting them, so I don't what happened prior to that.
15 I don't know why the police made the decision to arrest them.
16 That was obviously made prior to the video starting.

17 So I -- you know, I don't know if they were
18 aggressive. I was relaying information that was being asked
19 of me to be relayed.

20 BY MR. HARRIS:

21 Q. Okay. The clip that you saw, what do you recall seeing?

22 A. It was very short. It was -- I remember there were
23 police, and they had their bicycle helmets, and then, I think
24 maybe there were other police that didn't have bicycle
25 helmets. And each of the men were -- kind of stood up, if I

1 remember correct. It's been a while since I saw it, but --
2 and put in handcuffs or something and walked out.

3 Q. Yes.

4 A. It was short. Uh-huh.

5 Q. They looked like they were -- appeared -- based on a clip
6 that you saw, that they were arrested without incident. In
7 the clip that you saw?

8 A. Right. As I said, if that's what I saw, that clip, I
9 might have been down there protesting myself. It looked
10 awful. Of course it did. It was horrible.

11 Q. So you testified earlier that there was a change in
12 direction from Kevin Johnson, the CEO, and Howard Schultz, the
13 then founder, as well as president or chair of the board.

14 Did you not?

15 A. A change in direction in what?

16 Q. You said there was a change in direction for support of
17 Holly Hylton and then no support of Holly Hylton?

18 A. That's correct.

19 Q. What do you attribute the change in direction from?

20 A. Initially, there was support for Holly, and then the
21 riots and protests start, and people were screaming: Fire the
22 manager, fire the manager, fire the manager. Then we can talk
23 about training.

24 And I think it was clear that the original message from
25 Kevin of "Your anger at the store manager is misplaced. This

1 is really about us and our policies," that was not landing
2 well in the media. People were not responding to that
3 message.

4 We continued to have a lot of protests at the store, and
5 I think the company decided: We need to change our messaging,
6 and now it is, you know, this person did the wrong thing, and
7 that's -- we're going to look at bias training in all the
8 stores and figure out, you know, how do we move forward from
9 here.

10 And, you know, I certainly understood why we were trying
11 to have training around implicit bias. It exists. I get
12 that. I understand that.

13 I didn't want this to happen again in any other store in
14 Philly or any place else. It was -- you know, it was -- I
15 don't know what more to say.

16 Q. Ms. Phillips, you said: Riot. What riot occurred?

17 A. I would say --

18 Q. Was there a riot?

19 A. You would probably call it protest, but when folks came
20 into the store and a police officer said to me, "If this goes
21 bad, go hide in the bathroom and I'll come get you," it was
22 very scary. So whether I call it a protest or a riot, it was
23 a very scary situation.

24 Q. Is it your testimony that the protests and the protesters
25 that came to the store at 18th and Spruce were engaging in a

1 riot?

2 A. Maybe that was the wrong word choice. I'll say protest.

3 Q. You heard Mr. Pinto testify yesterday regarding when the
4 leaders came to the market, that you were physically absent.

5 Do you remember him testifying to that?

6 A. I do.

7 Q. You disagree with that assessment?

8 A. I do.

9 Q. Do you remember Mr. Pinto also testifying that when
10 approached by partners, that they were actually looking for
11 leadership which you did not provide?

12 A. I heard him say that. I wholeheartedly disagree with
13 that.

14 Q. What did you do?

15 A. By the way, he also said that Camille promoted me into
16 the role, and that was incorrect.

17 So I certainly think highly of Paul Pinto, but I think
18 his memory may not be 100 percent accurate.

19 Q. Okay. I'll rephrase.

20 You were promoted by someone other than Ms. Hymes?

21 A. That's correct.

22 Q. And you also received -- up until prior to the incident,
23 you had received support from her. Yes?

24 A. I did.

25 Q. And she had been a supporter of yours all the way up

1 until the incident. Yes?

2 A. Absolutely.

3 Q. Nothing about her treatment of you prior to the incident
4 would suggest that she had been engaging in any sort of
5 race-based behavior. Correct?

6 A. Absolutely not. I was merely pointing out that Paul's
7 memory may not be 100 percent accurate.

8 Q. Understood.

9 Prior to that, Mr. Pinto had been a supporter of yours as
10 well?

11 A. Yes, I think so.

12 Q. And, in fact, he talked about having or supporting you to
13 go to executive presence training. Yes?

14 A. Yes, that's correct. That was maybe ten years before
15 this, but yes.

16 Q. Was it helpful?

17 A. The training?

18 Q. Yes.

19 A. Yes, absolutely.

20 Q. What did you learn?

21 A. It's been probably 15 years now, but I think at the time,
22 I had a regional director who was -- he was not always open to
23 feedback, he was not always open to people speaking their
24 mind, and so Paul thought I should get some training to feel
25 more confident in sharing my thoughts and opinions.

1 And that's what the -- it was. It was about executive
2 presence and how to speak, and I found it helpful. But it was
3 a really long time ago, so I can't tell you exactly, you know,
4 what it was.

5 Q. When the leaders came into the market, was there an
6 initial meeting that you were responsible for directing with
7 partners?

8 A. The open forum with Howard, is that what you're talking
9 about?

10 Q. No. Soon right after the incident when the leadership
11 came from Seattle and other places, including Camille and
12 Rossann, there was an initial meeting soon after the April
13 12th incident.

14 Do you remember that meeting, the first meeting?

15 A. Not 100 percent sure I remember which meeting. There
16 were a lot of different meetings on a lot of different days.

17 If you want to put the calendar up, that might refresh my
18 memory.

19 Q. Did you have a meeting on the following Monday after the
20 incident?

21 A. Probably.

22 Q. What happened in that meeting?

23 A. I'm sorry, I can't tell you specifically without like
24 looking at some sort of notes from the meeting. This was a
25 long time ago. And there were a lot of different meetings

1 with a lot of different people, so I don't want to misspeak
2 about which meeting this was and where it was without knowing
3 to be correct.

4 Q. Okay. Do you recall a meeting where the leaders came to
5 the market where in fact on the morning of the meeting, you
6 indicated to Ms. Hymes that you weren't feeling well?

7 A. I don't recall that, no.

8 Q. You don't recall not feeling well or you don't recall
9 that meeting at all?

10 A. Like I said, I don't recall not feeling well, this was a
11 long time ago. I also know there were a lot of different
12 meetings, so I don't recall this specific meeting and who the
13 attendees were and -- I'm sorry, I can't.

14 Q. The first meeting that you recall being asked to attend,
15 what do you remember happening in that meeting?

16 A. I mean, I'm not sure exactly which meeting you're talking
17 about.

18 There -- I went to the store the next day. My boss came
19 in. We had a meeting that day, me, my boss, Paul Pinto, Holly
20 Hylton, Paul Sykes.

21 Then the next day protests started. We had meetings with
22 the police department. We had meetings with other leaders. I
23 had meetings with my other district managers to figure out how
24 to support the stores and what was happening.

25 So I'm not trying to not answer your question, I just --

1 I don't know which meeting you're referring to. I'm sorry.

2 Q. I'm asking you, the first meeting you recall with
3 leadership in the market, what do you recall happened in that
4 first meeting with leadership?

5 A. I'm sorry, I don't recall what meeting you're talking
6 about. If you could tell me the date --

7 Q. Ms. Phillips, I am not asking about any meeting in
8 particular.

9 I'm asking about the first meeting you recall that
10 happened in your market when the leadership came?

11 A. The first meeting I actually recall was when Howard came,
12 and he was visiting stores. And he encountered a store
13 manager who was crying. And I was told, Howard wants to have
14 an open forum with partners at his hotel. I think it was the
15 Ritz-Carlton maybe.

16 So in a matter of a couple hours, this meeting was
17 happening and I had to invite all these different partners to
18 come for this open forum with Howard. That's the first
19 meeting that I remember.

20 But, you know, that may not be the one you're referring
21 to.

22 Q. If I show you a calendar that counsel has presented,
23 would that help refresh your recollection as to when that
24 meeting with Howard occurred?

25 A. When the meeting with Howard occurred? Sure. Maybe.

1 MR. HARRIS: Your Honor, may I borrow counsel's?

2 MS. MATTIACCI: For this one question, I would allow
3 it.

4 MR. HARRIS: Thank you.

5 BY MR. HARRIS:

6 Q. Okay. Showing you the diagram that counsel has prepared
7 that has the calendars beginning from April the 12th.

8 Do you see this diagram that counsel prepared?

9 A. I do. I do.

10 Q. By looking at this document, which is now a diagram of
11 April and May of 2018, does this refresh your recollection as
12 to the meeting that occurred with Howard Schultz in the
13 market?

14 A. So the incident happened on Thursday. Friday -- Saturday
15 Camille came to town. Sunday there were protests. Monday was
16 when Kevin Johnson came in, but I believe he was meeting with,
17 like, the mayor, different people like that. I don't think I
18 had any interaction with him.

19 I believe it looks like Howard came the next day on the
20 17th, so that might be the meeting you're talking about.

21 Q. Is that the meeting that you recall participating in, the
22 meeting with Howard Schultz?

23 A. Yes.

24 Q. What leadership role did you have in that meeting with
25 Howard Schultz?

1 A. I was given the date and time and I had to coordinate who
2 was coming and making sure they got there. And when they did
3 get there, interacting with them, making them feel
4 comfortable, speaking up and asking questions of Howard.

5 And at one point a question -- there was a question about
6 P&AP's support. And I recall saying, you know, we have one
7 P&AP person, Ronda, for the whole Mid-Atlantic --

8 Q. May I stop you there?

9 A. Sure.

10 Q. Let's parse out your role in that meeting.

11 If I understand initially, you said you set up -- I think
12 you said specifically setting up where the meeting occurred?

13 A. No, no. I was told where it was going to be. It was at
14 his hotel.

15 Q. Okay. It was at his hotel?

16 A. Uh-huh.

17 Q. You said you set up specifically what aspect of it -- it
18 sounded administrative to me. So what aspect of it did you --

19 A. It was very rushed. I found out in a couple hours, he
20 wants to have this, so I'm calling people, trying to figure
21 out, okay, who's off, who can we get off, how can we get
22 coverage in stores so partners can come to this.

23 That's what I recall.

24 Q. Did you have a conversation with Mr. Schultz?

25 A. Yes. In the store, and then also I spoke at the open

1 forum.

2 Q. You spoke at the open forum?

3 A. I did.

4 Q. The one at the Ritz-Carlton?

5 A. I did.

6 Q. What did you say?

7 A. I was just sharing that I had stood up because there was
8 a question about Philadelphia not having a lot of P&AP
9 support, so I don't think he completely understood what that
10 meant.

11 So I was talking with him and saying, we only have one
12 person for the whole Mid-Atlantic. That's Ronda, and she
13 lives, I think down in Virginia or some place like that, so we
14 don't have a lot of support in Philadelphia. And that's when
15 he approved a local P&AP person, at that open forum.

16 Q. Howard Schultz did?

17 A. Yes.

18 Q. Was Camille Hymes there at that meeting?

19 A. I am sure she was.

20 Q. Was Rossann Williams at that meeting?

21 A. Yes.

22 Q. Was Zeta Smith at that meeting?

23 A. I don't recall. I kind of feel like she was out of town
24 and she didn't come till later but I might be wrong on that.

25 Q. Did you interact with Camille prior to the meeting with

1 Howard Schultz?

2 A. She was the one, I believe, that called and said Howard
3 wants to have an open forum, can you coordinate, it's going to
4 be, you know, today at such and such a time and then I took it
5 from there.

6 Q. After the 17th, what do you recall as the next meeting
7 that you participated in?

8 A. There were so many meetings. I'm sorry, you want me to
9 tell you about specific meetings.

10 Q. Yes.

11 A. And some are etched in my memory because of things that
12 were said that stuck out to me.

13 But there were so many meetings with police department,
14 with the civil affairs unit, with my boss, with my boss and
15 her boss, sometimes in the basement at the store, sometimes in
16 her hotel room.

17 There were -- over the course of this three weeks, there
18 were probably 20-plus meetings that I was a part of.

19 Q. Okay. The 20-plus meetings over the course of those
20 three weeks, which one of them did you lead personally?

21 A. Did I what?

22 Q. Did you lead personally?

23 A. I think they were all kind of collaborative. I don't
24 know that I led any specific meeting that I was in charge of
25 leading, but it was a collaborative effort. We might come to

1 Camille's hotel room when we were working on the Philly
2 sustainment plan and it would be a group of people in her
3 hotel and we would brainstorm ideas and come up with a plan
4 that was then captured and shared out, hey, these are our
5 early stages of our plan.

6 But I wouldn't say, you know, that I led that meeting.
7 It was more a collaborative effort between a lot of people.

8 Q. You said over the course of three weeks there were
9 several meetings that were being had. Yes?

10 A. Yes. Lots of meetings.

11 Q. Over those meetings, I'm asking specifically, how many
12 did you personally lead for the leadership when they came into
13 the market?

14 MS. MATTIACCI: Objection, asked and answered.

15 THE COURT: Overruled.

16 THE WITNESS: For example, when Andrea came to the
17 market, I met Andrea, I believe it was at The Bellevue store.
18 I led the conversation with her, and then she and I visited
19 stores so that she could engage with partners. That was, I
20 guess, a meeting I led, because I was the person that was
21 responsible for this Seattle person coming in while she was
22 there.

23 BY MR. HARRIS:

24 Q. Senior leadership. Andrea wasn't in senior leadership,
25 was she, Ms. Phillips?

1 A. I would -- she was -- I would have considered her senior
2 leadership, but it was not Rossann or Roz, if that's what
3 you're asking. I mean, when Kevin Johnson and Roz Brewer and
4 Rossann come to the market, I am not the first person that
5 they're engaging with. They're engaging with my boss and
6 Zeta, her boss.

7 I had never met Kevin or Roz or Rossann, I think ever, at
8 that point, so I wasn't being asked to lead meetings with
9 these people that were coming in that I didn't know and had no
10 contact with, and I don't know that they were, you know,
11 looking for me to lead meetings with them. It was kind of
12 above my pay grade.

13 Q. Is it your testimony that there was not any expectation
14 for you to lead any meetings held by senior leadership? Is
15 that what you're testifying to?

16 A. I don't recall ever being in charge of a specific
17 meeting, leading a meeting with senior leadership. And by
18 senior leadership, I'm assuming you mean Kevin Johnson, Howard
19 Schultz, Rossann, Roz Brewer. No, I don't recall that.

20 Q. How about your immediate boss, Camille Hymes?

21 A. Uh-huh.

22 Q. Yes?

23 A. What about her?

24 Q. You weren't responsible for leading a meeting when she
25 came to the market?

1 A. When you say a meeting, like the first day she came to
2 the market, we met at the store. She and I sat down with Paul
3 and Holly.

4 If that's me leading a meeting, then I led that meeting.

5 Q. I'm talking about group meetings to talk about strategy,
6 to talk about vision. Did you lead any of those kind of
7 meetings?

8 A. So they were all -- they were all meetings that we had as
9 a group where we sat together, people -- district managers,
10 myself, my boss, partner resources, P&AP. And we would talk
11 about, okay, what do we need to do going forward.

12 But it was a collaborative effort, and we typically met
13 in hotels -- in Camille's hotel room. So since we were
14 meeting in Camille's hotel room, she would seemingly have been
15 the person kind leading that meeting.

16 Q. Ms. Phillips, did you lead any meetings involving the
17 roundtables of partners?

18 A. There were lots of roundtables with partners. I think
19 Paul spoke yesterday, some impromptu in stores, some that were
20 more formal.

21 The BPN meeting, the Black Partners Network meeting that
22 was organized, that would have been a more formal roundtable
23 meeting versus high-level leaders stopping in stores and
24 sitting down and having conversations with partners.

25 Q. Did you lead a roundtable meeting, Ms. Phillips, yes or

1 no?

2 A. I'm sure I did. I'm sorry, I can't recall which meeting
3 you're referring to.

4 Q. Did you lead any roundtable meeting?

5 MS. MATTIACCI: Objection, asked and answered.

6 THE COURT: You can answer this one question, then
7 we'll take our midday recess.

8 THE WITNESS: Did I lead any meetings? Yes, I led
9 meetings. I don't remember which ones or on what date or who
10 they were with.

11 If it was with high-level leaders like Kevin, Rossann
12 or Roz Brewer, no, I would not have been the one leading those
13 meetings.

14 BY MR. HARRIS:

15 Q. I didn't ask that question specifically.

16 A. Okay.

17 Q. Ms. Phillips, I asked about roundtables. Did you lead a
18 roundtable meeting. Yes or no?

19 A. I would say yes. At The Bellevue, we invited partners in
20 for a roundtable with Andrea, and that would have been a
21 roundtable that I led the discussion.

22 THE COURT: Okay. Let's take our lunch break at this
23 point.

24 Members of the jury, I'll ask you to return at a
25 quarter to 2:00.

1 And just remember my words of caution.

2 We'll stand in recess.

3 (Jury out.)

4 MR. HARRIS: Your Honor, respectfully, I would ask
5 that this Court caution the witness that she's still on the
6 stand.

7 THE COURT: Speak up.

8 MR. HARRIS: I would ask the Court to caution the
9 witness that she's still on the stand while we're having our
10 recess.

11 MS. MATTIACCI: Oh, you don't have to worry about me
12 breaking the rules, Rich.

13 MR. HARRIS: I wasn't worried about it.

14 THE COURT: The witness is on cross, so you can't
15 speak to counsel about her testimony. Okay?

16 All right. We'll stand in recess.

17 MR. HARRIS: Thank you.

18 (Recess at 12:35 p.m. until 1:55 p.m.)

19 THE COURT: Bring the jury in.

20 (Jury in.)

21 THE COURT: Please be seated.

22 You may proceed, Counsel.

23 MR. HARRIS: Thank you.

24 BY MR. HARRIS:

25 Q. Ms. Phillips, before we broke for lunch, you testified to

1 the fact that you led one roundtable discussion that you
2 recall. Yes?

3 A. I led a lot of meetings, but that was one specifically
4 you asked, which was the first meeting.

5 I think that I was trying to determine which meeting you
6 were talking about, and so --

7 Q. Let me try to help you out.

8 The roundtable discussions, as Mr. Pinto testified to,
9 were the ones in which partners were being held together,
10 where they were being brought in, so you could actually hear
11 and listen to what they were saying about the market. Yes?

12 A. Some of them. Yes, there were lots of roundtables. Some
13 of them were with people from Seattle. Some of them were with
14 local leaders. My job at that time was to support my partners
15 in the stores --

16 Q. I understand.

17 A. -- not lead meetings with the CEO of the company. That
18 was above my pay grade.

19 Q. Okay. The roundtable discussions in which you led when
20 the leadership came in that you can recall leading was one.
21 Yes?

22 A. Again, I led lots of different meetings with lots of
23 different partners and people at different dates and times.
24 That was one in particular, sure.

25 Q. Okay. The one in which you recall, what did the partners

1 share about their experience after the incident of April 2018?
2 A. That particular meeting was with someone from P&AP, and I
3 believe that the partners were talking about we
4 obviously -- partners were experiencing a lot of external
5 pressure from people that -- friends and family that they
6 shouldn't work at Starbucks, and they didn't feel that way,
7 they wanted to continue to work there, but the problems did
8 exist, that Safe and Welcoming had previously addressed. Some
9 partners were in favor of Safe and Welcoming, some felt like
10 it did cause bias, and so there were lots of different
11 opinions from different partners.

12 Q. Okay. Can we --

13 THE COURT: Can I just stop you for just one second?

14 MR. HARRIS: Sure.

15 (A discussion off the record occurred.)

16 BY MR. HARRIS:

17 Q. The meeting that you were just referring to that you said
18 you led with Andrea, is it your testimony that Andrea was in
19 partner asset and protection?

20 A. Maybe that was not Andrea. Maybe that was Dina. I'm
21 trying to think. I would have to go back and look at the
22 notes to determine if Andrea -- I -- I'm trying to think.

23 I believe Andrea was in the market from P&AP, I believe,
24 but she might have been from ops services.

25 I didn't know these people that kind of flooded the

1 market at the time. I didn't have contact with them ahead of
2 time, so I didn't know all of them.

3 Q. Okay. Counsel showed you a series of emails and letters
4 of support.

5 Do you recall seeing that?

6 A. Today? My counsel?

7 Q. Yes.

8 A. Yes, uh-huh.

9 Q. How many letters of support do you think that you saw or
10 at least that was shown in this courtroom today?

11 A. I didn't count them.

12 Q. Approximately eight to ten?

13 A. Maybe. Maybe more than that.

14 Q. Okay. Of the emails that were shown today in this
15 courtroom, how many of them were from members of -- or
16 partners from -- that were actually in the market?

17 A. Lots of them were. They were store managers, district
18 managers that came in to support.

19 Q. The emails that were shown today that went before this
20 jury, is it your testimony that they were from partners that
21 were actually in the market?

22 A. Yes, some of them, yeah.

23 Q. Which ones?

24 A. And then some of them were outside.

25 Q. Which ones were from in the market?

1 A. There were store managers specifically that reached out
2 that had been brought in as support during that time. And at
3 least a few of those were from store managers.

4 Q. Store managers that were brought in, is that your
5 testimony?

6 A. And district managers. I think I got one from Jackie
7 Johnson, Michelle, Rana. These were folks that worked outside
8 the city but came in to support, yes.

9 Q. Okay. Let's talk about the ones that were already in the
10 market prior to April of 2018 and thereafter.

11 How many of those letters of support were brought to this
12 court today?

13 A. I would have to go back through and look at them.

14 Q. You would have to go back and look at the ones that --
15 this was your market, was it not?

16 A. It was, yes.

17 Q. And you don't remember the names of any of the store
18 managers that were -- you were responsible for in April of
19 2018 that offered support?

20 A. I received a ton of support in -- from people inside the
21 market, if that's what you're asking, in Philly: from Ben,
22 from Paul, from their store managers, from partners. They may
23 have been highlighted, some of them today; they may not have
24 been. Some of them were verbal. These were all written
25 recognition.

1 But up until the very end, I had a ton of support,
2 including from my boss.

3 Q. Okay. I'm talking about the emails that have been shown
4 to the jury of support.

5 A. Uh-huh.

6 Q. Were any of those emails or letters from people that were
7 inside your market at the time that you were overseeing it in
8 2018?

9 A. They were from people inside my market. Yes, that's
10 correct, many of them were.

11 Q. They were working for you at the time?

12 A. Yes.

13 Q. Okay. Do you agree with the proposition that leaders are
14 responsible for coming up with systems and processes to help
15 the organization advance their objectives?

16 A. I believe that.

17 Q. Okay. What systems and process did you come up with
18 around 2018, April of 2018, to advance the objectives after
19 the incident?

20 A. As I mentioned before, they were very collaborative. We
21 came up with sustainment plans. These were collaborative
22 efforts. I'm not going to say I came up with it in my own.
23 We were in groups coming up with plans.

24 But in the moment, it was a crisis, and my job was really
25 to support the stores and the partners through this crisis.

1 And future plans of Safe and Welcoming or how we were going to
2 deal with the issues in the stores, that felt like -- a little
3 on the back burner. We had to get through what was happening
4 today which was people flooding into the stores, screaming at
5 our partners, video cameras, taking pictures. They were on
6 the front page of papers. It was a lot of activity happening
7 that I was trying to support the efforts of.

8 I think if I wasn't focused on the right activities, I
9 think Camille would have said something.

10 Q. Okay. What idea did you bring to the table as part of a
11 collaboration?

12 A. I can't tell you specifically from meetings that took
13 place over five years ago that were with multiple people to
14 say: That was my idea versus that was Michael Scott's idea or
15 maybe that was Paul's idea or maybe that was Camille's idea or
16 Zeta's. These were group discussions that were brainstorming,
17 that were where are we going to go from here? What support do
18 we need?

19 Q. So you can't think of one?

20 A. I certainly wouldn't take credit for someone else's
21 ideas, so I say they were collaborative. I'm sure I was
22 throwing out ideas, just like everyone else was.

23 Q. Give me one of them.

24 A. Extended security, that was my idea.

25 Q. That did not come from PA&P (sic)?

1 A. P&AP.

2 Q. P&AP, yes.

3 A. We had at that point a strained relationship with the
4 police department, so we weren't getting police support. I
5 believe it was my idea getting plainclothes police officer --
6 or security in the store to support the partners in how they
7 felt feeling safe.

8 Q. How did you communicate that idea?

9 A. It was in one of those sustainment plans that we worked
10 on together, and it did come to fruition. We did have
11 in-store security.

12 And then we talked about roving patrol, but I don't know
13 that that happened. I think if it did happen, it was after I
14 was gone.

15 Q. Okay. So the idea that you recall was during the three
16 weeks of activity prior to the separation decision being made
17 is the idea of having extended security or police activity?

18 A. You're insinuating that I wasn't being a leader in the
19 market, but this was -- my job was trying to coordinate
20 efforts to make sure that people came into the stores,
21 supported the stores. There was a time during a protest that
22 Rossann was in the store and went to the basement with the
23 hourly partners. It was me and my district managers literally
24 behind the counter during this protest trying to serve
25 customers and deal with these protests. It was not -- it was

1 not me sitting around like: Oh, let me think of new ideas or
2 what we... It was a crisis that I was trying to manage
3 through.

4 Q. I understand.

5 In crisis, leaders are supposed to provide strategic
6 vision and direction.

7 Do you agree with that?

8 A. I do.

9 Q. Okay. And so I asked you what sort of strategic advice
10 did you provide the collaboration? You said that you came up
11 with the idea of extended police support. Yes?

12 A. That was one thing. Yep.

13 Q. Don't have any others, do you?

14 A. I also came up with the idea of having an all call with
15 store managers to talk about their concerns and what we're
16 going to do moving forward.

17 Q. Okay. And the store call with the store managers, was
18 that the task force that you referred -- that counsel asked
19 you questions about earlier?

20 A. No.

21 Q. That was not the task force; that was something else?

22 A. Right. That was an all call.

23 Q. Okay. The task force that you were asked earlier on
24 direct examination, that was not your idea?

25 A. The Philly task force?

1 Q. Yes.

2 A. I don't remember if that was my idea or if it was -- I'm
3 not sure where it came from. I can't answer that. It may
4 have been.

5 Q. Did you lead those calls with the Philly task force?

6 A. I did.

7 Q. Do you recall what happened during those calls?

8 A. I led those calls. I also led calls that were called all
9 hands calls with folks from Seattle that were -- for me to try
10 to tell you specifics of which calls, you know, I wouldn't
11 want to try to do that.

12 Q. So when partners brought their concerns about what they
13 were experiencing based on the activity that had come to the
14 market, how did you want the organization of Starbucks to
15 change afterwards?

16 A. How did I want the organization to change?

17 Q. Yes.

18 A. I'm not sure I was thinking about that at the time, how
19 the organization was going to change.

20 Q. Showing what's been previously marked as Joint Exhibit
21 Number 43.

22 MR. HARRIS: May the witness be shown that document?

23 BY MR. HARRIS:

24 Q. And I direct your attention to what's page 2 of Joint
25 Exhibit Number 43.

1 Do you recognize this document?

2 A. I do.

3 Q. Is this the Safe and Welcoming policy that you were
4 referring to in your testimony?

5 A. It is.

6 MR. HARRIS: May this be shown to the jury, Judge?

7 MS. MATTIACCI: No objection, Your Honor.

8 THE COURT: All right. It may be shown.

9 BY MR. HARRIS:

10 Q. Showing what's been marked as Exhibit Number 43. Is this
11 the Safe and Welcoming policy that you were referring to in
12 your testimony on direct and cross-examination? Page 3,
13 please.

14 A. It's the signage.

15 Q. The signage which articulates what store managers would
16 do if in fact individuals were in the store. Yes?

17 A. This was signage. So "the restrooms are for customers
18 only" was a sign hanging in the restroom. "Seating is
19 reserved," those were stickers that went on outside tables and
20 below that was the code of conduct that hung in every store.

21 This wasn't the training materials, if that's what you're
22 asking.

23 Q. No, I'm asking if this was the policy that you were
24 referring to about the training exhibits.

25 A. It was the signage for the policy, yes.

1 Q. Okay. Is there anything in that signage that
2 demonstrates you should call the police? Anywhere?

3 A. This was a sign hanging in the store, so I don't think it
4 was going to say if you're a noncustomer we're going to call
5 the police. And I can't really read the specifics at the
6 bottom.

7 MR. HARRIS: Can you put that up, as best you can,
8 please?

9 BY MR. HARRIS:

10 Q. It talks about -- again, I can't see it as well as you,
11 but I'm going to try.

12 At the bottom it says -- let's start with the top:
13 Welcome to Starbucks.

14 Did I read that accurately?

15 A. That I can read.

16 Q. We're trying to create a comfortable and enjoyable
17 environment for our customers.

18 A. That's correct.

19 Q. And this is -- each bullet point talks about activities
20 that would occur in the store where you could potentially be
21 asked to leave. Yes?

22 A. I'm sure it does. It's hard for me to read the bullet
23 points. I'm sorry.

24 I can't read the first one.

25 Q. Solicitation or panhandling at the bottom. Excessive

1 loitering in or around the store.

2 Yes? Does it not say that?

3 A. Yes, I can see that.

4 Q. Excessive noise, including yelling, disruptive profanity,
5 vulgar and threatening language.

6 All the areas that would -- that would quantify as
7 misconduct. Yes?

8 A. Correct.

9 Q. Persons that perform the above activities may be asked to
10 leave.

11 Does it not say that?

12 A. It does.

13 Q. There's nothing in there about calling the police.
14 Correct?

15 A. In the signage, no.

16 MR. HARRIS: Can you scroll that down, please?

17 I'm sorry, up. I apologize. Up.

18 Yes, I apologize.

19 BY MR. HARRIS:

20 Q. This is the policy you were referring to as Ms. Hylton
21 was implementing it at the time that she called the police on
22 Donte and Rashon. Yes?

23 A. The Safe and Welcoming policy, yes.

24 Q. Thank you. After Ms. Hylton was separated, Angela Grass
25 took over her role, did she not?

1 A. She did.

2 Q. Angela Grass. Did you participate in the process of
3 having Ms. Grass take a look at the role of Ms. Hylton?

4 A. So when we found out that Holly Hylton was gone, Paul and
5 I discussed who should we bring to the store. It was a very
6 obviously difficult time, we wanted a strong leader.

7 Angela had managed the 16th and Walnut store which was
8 the highest volume store in the city, and it was also a
9 high-incident store, where lots of things happened,
10 unfortunately, so we felt like she would be a good person to
11 come over.

12 Q. And you say "we," you're talking about we. Who
13 participated in that discussion, Mr. Pinto?

14 A. I'm sorry, Paul Sykes.

15 Q. Paul Sykes?

16 A. Yep.

17 Q. He was the district manager. Correct?

18 A. He was.

19 Q. Did Camille, was she aware of the decision to have
20 Ms. Grass move to that role?

21 A. I'm sure she would have been. We would have informed her
22 at least.

23 Q. Right. And she didn't offer any objection?

24 A. No.

25 Q. In fact, this was a lot of -- as you said, a lot of

1 activity and visibility into the market?

2 A. Correct.

3 Q. And Ms. Grass came over from a highly visible, highly
4 active store?

5 A. A high volume and high-active store, Yes. I mean, I
6 wouldn't say it was high visibility, but...

7 Q. High volume?

8 A. Sure.

9 Q. High incident?

10 A. Yes.

11 Q. And she was the appropriate person to take over that
12 role?

13 A. We felt --

14 Q. To replace Holly Hylton?

15 A. -- that she had strong leadership skills, yes.

16 Q. Were you aware of Ms. Linda Johnson prior to your
17 separation from the organization?

18 A. I was.

19 Q. How did you know her?

20 A. She was interviewing for a regional position in D.C., and
21 a peer of mine, Jeff Danley, and I interviewed her in maybe a
22 Zoom format. Something like that. Not a phone interview,
23 a -- a video interview.

24 Q. Ms. Johnson, same race as you?

25 A. She is.

1 Q. Subsequently after you were separated from the
2 organization, took over part of your role. Yes?

3 A. She did, yes.

4 Q. Mr. Eckensberger, did you know him prior to your
5 separation from the organization?

6 A. I did. We were peers.

7 Q. So you knew him well?

8 A. Yes. I mean, pretty well, as well as any of my peers,
9 yes.

10 Q. Understood. Same race as yours?

11 A. Yes.

12 Q. Took over your role, in fact, once you were separated,
13 yes?

14 A. He took over the Philadelphia stores, yes.

15 Q. Your market?

16 A. Well, that wasn't my whole market but it was part of it.

17 Q. A portion?

18 A. Sure.

19 Q. A portion of your market was Philadelphia, and
20 Mr. Eckensberger took over that portion?

21 A. That's right.

22 Q. And Ms. Johnson took over the other portion?

23 A. I think before Linda Johnson got there, I think maybe TJ,
24 another peer, covered it for a while but ultimately, yes,
25 Linda took it over.

1 Q. TJ Wolfersberger?

2 A. Yes.

3 Q. Okay. You knew him as a peer, yes?

4 A. Yes.

5 Q. What was his race?

6 A. His race was white.

7 Q. So the three people that took over your area of
8 responsibility happened to be the same race as you. Yes?

9 A. At the time in Camille's overarching region, the
10 Mid-Atlantic, I think everyone was white. I don't think there
11 were any African American regional directors at that time.

12 Q. Are you sure?

13 A. Well, we were interviewing Linda for DC, it was TJ, Jeff
14 Danley, they're both white men. It was me, Marcus, who is a
15 white man, and Jen Pivarnik who is a white female.

16 Q. So the organization was primarily white that Ms. Hymes
17 was responsible for prior to your separation?

18 A. At that time.

19 Q. Yes. And afterwards, do you have any evidence to suggest
20 that it wasn't the same after you left?

21 A. I wasn't there, so I don't know.

22 Q. Yes. But based on the information you received
23 throughout the course of this case, have you seen anything to
24 the contrary?

25 A. About who came in after I left?

1 Q. Yes.

2 A. No, I haven't.

3 Q. You haven't seen anything or you haven't seen anything to
4 the contrary?

5 A. I know who came into the market after me. Marcus took
6 the Philadelphia stores and TJ took the rest of the market
7 until, I think, Linda came and then it changed again and I
8 think Linda got shifted. So I think there were a lot of
9 changes. But that's what I know.

10 Q. But what you also know is the racial composition of the
11 organization did not change after you left. Correct?

12 A. That's correct.

13 MR. HARRIS: May the witness be shown Joint Exhibit
14 Number 18?

15 THE COURT: Yes.

16 BY MR. HARRIS:

17 Q. Ms. Phillips, showing what's been marked as Joint Exhibit
18 Number 18.

19 Do you recognize this document?

20 A. Yes, it looks like the job description for regional
21 director.

22 Q. That would be your role, correct?

23 A. It was.

24 Q. Yes. The role that you had, Ms. Phillips?

25 A. I said yes.

1 Q. Okay. Can I direct to your attention, there are
2 approximately one, two, looks like three pages.

3 Is this the full description of the job that you held as
4 the regional director up until the time of your separation?

5 A. 2009. Probably.

6 Q. Well, look through it, ma'am.

7 A. I mean, I don't remember at the very time in 2018 was
8 this the job description, job descriptions changed, but this
9 looks like it.

10 Q. Can you look through it for me, please?

11 A. Okay. Do you want to go to the top and I'll start there.

12 Q. Well, first, I have to make sure that this is the correct
13 job description for you?

14 A. Oh, I said that it was. Yes, I think so.

15 MR. HARRIS: Okay. May this be moved into evidence
16 and shown to the jury, Judge?

17 MS. MATTIACCI: No objection, Your Honor.

18 THE COURT: So admitted and may be shown.

19 MR. HARRIS: Thank you.

20 (Exhibit 18 admitted into evidence.)

21 BY MR. HARRIS:

22 Q. Summary of Key Responsibilities.

23 Do you see that, Ms. Phillips?

24 A. I do.

25 Q. What does the first one say for the role of regional

1 director as the number one responsibility on this list?

2 A. Leadership.

3 Q. Describe the leadership as identified in the job
4 description. What does it say?

5 A. Setting goals for the work group, developing
6 organizational capability, and modeling how we work together.

7 Q. What's the second one say?

8 A. Where it says "Identifies" or "Planning and Execution"?

9 Q. I apologize. Identifies.

10 A. Okay. Identifies and communicates key responsibilities
11 and practices to ensure the immediate team of direct reports
12 promotes a successful attitude, confidence in leadership, and
13 teamwork to achieve business results.

14 Q. All right. Start with confidence in leadership.

15 Do you recognize that as a key component of your
16 responsibility was for your direct reports to have confidence
17 in you. Yes?

18 A. Yes.

19 Q. Planning and Execution.

20 Do you see that?

21 A. Oh, yes.

22 Do you want me to read that?

23 Q. Please.

24 A. Planning and Execution - Developing strategic and
25 operational plans for the work group, managing execution, and

1 measuring results.

2 Q. What strategic and operational plans did you develop for
3 your area of oversight?

4 A. Ever or during April?

5 Q. Ever.

6 A. I mean, each year we had an annual operating plan that
7 was developed in Seattle, and then it was brought down: Okay.
8 What does that look like for regional directors?

9 And then we would take it to our district managers and we
10 would go through: What is this going to look like and how is
11 it going to show up in the stores.

12 So that would have been an example of operational plans
13 for the work group.

14 Q. Other than the items that were identified in Seattle,
15 ones that you developed on your own, can you tell us one?

16 A. Sure. Community plans, that was something that I was
17 highly regarded in, so...

18 Q. You were, yes.

19 Outside of that?

20 A. Let's see. It's been a long time.

21 We had -- we had -- at one point, we had something called
22 Customer Voice, and it was how customers graded us. And I
23 developed a plan in the Mid-Atlantic for how we were going to
24 improve our Customer Voice results.

25 Q. That's what you initiated?

1 A. The plan? Yes, uh-huh.

2 Q. And that came from someone else. Customer Voice had been
3 a wide-standing practice throughout the organization. Yes?

4 A. I thought you were asking plans, and --

5 Q. Plans that you developed.

6 A. -- so we -- the Customer Voice program was customers
7 rated us.

8 So the plan to how we're going to improve our service and
9 improve our results, that would have been a plan, yeah.

10 Q. Let's go down to Partner Development & Team Building.

11 Do you recall Mr. Pinto testifying yesterday that when
12 they came to the market, that there were concerns and you
13 received feedback about your ability to develop partners
14 within your region? Do you remember him testifying to that?

15 A. I do.

16 Q. You disagree with that assessment?

17 A. I do.

18 Q. So you disagree with the fact that there were several
19 employees in the market or partners that had complained that
20 they were not being developed?

21 A. Oh, I'm sorry. That may have been the case. There's --
22 with 100 stores and an average of 20 partners, somebody
23 saying, "Hey, I'm not getting developed the way I want to" in
24 a store, I'm sure that did happen. I don't know that that
25 would have been on me.

1 And that prompted me to think about another program that
2 we developed, that I developed with -- in conjunction with my
3 district managers, which was the store manager.

4 If we had high-potential store managers, we wanted to
5 help develop them to district managers. And so we developed a
6 specific process where they spent time, these store managers,
7 time in the field with me. We had -- I mean, there were lots
8 of points to the program, but we were very interested in
9 partner development.

10 Q. So when Mr. Pinto had identified and testified under oath
11 that there were concerns about development districtwide --

12 A. Region-wide?

13 Q. Yes, region-wide.

14 You heard him testify to that. Yes?

15 A. I did. I heard him testify to that, yes, and I don't
16 disbelieve that.

17 Q. You don't disbelieve that?

18 A. No.

19 Q. That wasn't the first time you heard that. Correct?

20 A. It may have been the first time I heard it, but I think
21 when you're talking about 2,000 people in an organization,
22 that was what I covered, there's going to be somebody that
23 says: Hey, I'm not getting developed the way I want to.

24 Q. Understood. But wasn't that --

25 A. Was this an overarching theme throughout? I don't

1 believe that it was.

2 If you looked at the district managers under me, the
3 majority of them were internally promoted. If you looked at
4 the store managers below them, the majority of them were
5 internally promoted. So I do not believe that we weren't
6 developing partners.

7 Q. Understood.

8 When Mr. Pinto testified to you yesterday before this
9 jury that they had received feedback, meaning others in the
10 market, they shared that with you after April of 2018, did
11 they not?

12 A. I don't recall hearing that during the time frame that
13 we're talking about, no.

14 Q. So the first time you heard it was when Mr. Pinto
15 testified.

16 Is that your testimony?

17 A. I believe so, yeah.

18 Q. Okay. First bullet point underneath Partner
19 Development & Team Building, what does that say?

20 A. Challenges and inspires partners to achieve business
21 results.

22 Q. Inspiration was also part of your role as the leader of
23 the organization?

24 A. Uh-huh.

25 Q. Yes?

1 A. Yes. I'm sorry. Yes.

2 Q. And so that would have been the healing process that you
3 would have come up with as part of the market. Yes? After
4 the incident of April 2018?

5 A. Inspiring partners to achieve business results?

6 Q. Yes.

7 A. Yes, I think I did that.

8 Q. You believe you did that?

9 A. I challenged and inspired partners to -- yes. We kept
10 the stores all open. We figured out how are we going to keep
11 these stores open and achieve business results serving our
12 customers in a way that our partners feel safe and secure
13 during a very challenging time where we were flooded with
14 senior leaders as well as protesters in the stores.

15 I do believe I did that.

16 Q. Okay. Can we go to the next page, where it says
17 Leadership Competencies.

18 Setting Direction, did I say that accurately?

19 A. Did you what?

20 Q. Say that accurately?

21 A. Yes, Setting Direction.

22 Q. Establishes and communicates a compelling and inspired
23 vision, creates competitive winning strategies and plans,
24 ensures department strategies are aligned with company
25 strategies.

1 Did you do that after April 2018?

2 A. I mean, I was certainly part of ongoing conversations
3 around what we were going to do going forward in terms of
4 strategies and plans, but this was a very short period of time
5 that was unlike any other period of time in my 13 years at
6 Starbucks, so I may not have been establishing plans for
7 winning strategies in the future. We were trying to get
8 through what was happening right now.

9 Q. Okay. We'll go down to Core Competencies.

10 Do you see that?

11 A. I do.

12 Q. The third bullet says: Composure - Remains calm,
13 maintains perspective and responds in a professional manner
14 when faced with tough situations.

15 Did I read that accurately?

16 A. You did.

17 Q. All right. So the expectation of someone in your role
18 when a crisis hits is to remain calm. Yes?

19 A. Yes. I believe I did remain calm.

20 Q. And maintain perspective and responds in a professional
21 manner, did you do that as well?

22 A. I do believe I did that.

23 Q. Okay.

24 A. I was never told I didn't do that.

25 Q. Understood.

1 A. You're the first person saying it.

2 Q. I didn't suggest that you didn't.

3 A. Okay.

4 Q. I was asking if that was a responsibility of yours? Yes?

5 A. Yes.

6 Q. Okay. Personal Learning - Takes personal responsibility
7 for the continuous learning of new knowledge, skills and
8 experiences. Yes?

9 A. Yes.

10 Q. What does that mean?

11 A. Continuous learning of new knowledge, skills and
12 experiences, that could be a number of different things. It
13 could be experiences that you're having in stores. It could
14 be completing your My Learning trainings. It could mean a lot
15 of different things.

16 Q. Self-investment. Yes?

17 A. Yes.

18 Q. Okay. Self-investment, that's what that means?

19 A. Yes.

20 Q. After April 2018, prior to your separation, what kind of
21 self-investment were you doing to understand what was
22 happening?

23 A. Learning new knowledge and skills, I would say, was all
24 we were doing as we visited stores and listened to partners of
25 what they were going through and what they needed in order to

1 continue to work for us and be successful and feel good about
2 it. It was all about new knowledge and experiences.

3 Q. And my understanding of that component was for you to do
4 some investment to gain insight?

5 A. I think personal learning is about making sure that you
6 continue to learn and grow.

7 Q. And grow.

8 A. Right, uh-huh.

9 Q. Yes.

10 Insight helps you do that. Yes?

11 A. Yes.

12 Q. To provide foresight to the people you're responsible
13 for?

14 A. Yes.

15 Q. Okay. What sort of insight did you glean to help the
16 people that you were responsible for in moving forward?

17 A. What insights did I have?

18 Q. Yes.

19 A. Okay.

20 Q. What insights did you have?

21 A. I'm sorry, I just want to make sure I understand your
22 question.

23 I had a lot of insights in a short period of time.

24 Q. Okay. That which you shared with Camille Hymes?

25 A. We had ongoing daily conversations. Yes, I'm sure we

1 were talking about everything we were hearing from partners,
2 hearing from store managers, hearing from customers in stores,
3 hearing from the protesters that were coming in. It was all
4 new experiences. I had never experienced anything like it.

5 Q. Insight -- what sort of insight did you glean that you
6 shared with Ms. Hymes?

7 A. So I think probably the insights I had were the Safe and
8 Welcoming procedure, maybe not such a great procedure, because
9 there is some bias that can come from it or at least perceived
10 bias. And even when people think they're doing the right
11 thing and following the rules, it can have very bad outcomes.
12 So recognizing how the partners were feeling at this time,
13 that was a lot of insights in speaking with different people.

14 Q. I'm sorry for interrupting you.

15 And you shared that insight with Ms. Hymes?

16 A. I'm sure. Yeah, we talked every day. We were side by
17 side in the city most of the time, other than when I was
18 tapped out, and we had constant conversations.

19 Q. Did you share the insight about the self- -- Safe and
20 Welcoming policy to Ms. Hymes after April of 2018?

21 A. We absolutely talked about the Safe and Welcoming policy.

22 Q. I understand that. I'm asking if you shared your insight
23 specifically?

24 A. I'm sure I did. I can't recall the exact day or
25 conversation, but we had so many conversations about Safe and

1 Welcoming, about what the stores were still going through with
2 the challenges and how do we bridge these two, where we're
3 creating a safe environment and positive environment for our
4 partners and our customers while also, you know, making sure
5 that we're not having people arrested in the stores.

6 Q. Okay. When Mr. Pinto testified that you were frozen in
7 the moment, that was untrue?

8 A. I'm certainly not suggesting Mr. Paul Pinto is being
9 untruthful, but that conversation never happened with me. He
10 and I never had that conversation. He never said to me, "Oh,
11 I think you're frozen or stuck," I think he said. That was
12 the first time I think I heard that yesterday.

13 Q. The same person that had supported you up until 2018?

14 A. Yes. I think Camille also supported me all the way
15 through until the end.

16 Q. What do you presuppose Mr. Pinto's motivation was?

17 A. I actually just think his memory is not 100 percent.
18 He spoke about a meeting that was in the basement at
19 Rittenhouse that didn't happen at that location. It happened
20 in a hotel lobby.

21 I think maybe he's not remembering correctly. I'm not
22 suggesting he's being untruthful. I just am not sure that
23 he's remembering correctly. I can tell you he never had that
24 conversation with me.

25 Q. Let me understand what your testimony is.

1 A. Uh-huh.

2 Q. You recall having a meeting with Mr. Pinto at the
3 Ritz-Carlton hotel, is that what you said?

4 A. No. We had multiple meetings, but he had talked about a
5 meeting that we had and he had said it was in the basement of
6 the Rittenhouse store, and the meeting that he was referring
7 to happened actually at Camille's hotel lobby.

8 Q. Okay. So you recall having a meeting in the hotel lobby
9 but not in the basement of 18th and Spruce?

10 A. Right, uh-huh.

11 Q. Ms. Hymes's lobby of her hotel where she was staying?

12 A. Yes.

13 Q. When she was in the market?

14 A. Yes.

15 Q. Do you remember approximately when that was?

16 A. Oh, I was referring to the meeting where they told me I
17 was putting Ben on suspension.

18 Q. Is that the only meeting in which you spoke to Mr. Pinto
19 about your --

20 A. No.

21 Q. -- leadership?

22 A. About my leadership?

23 Q. Yes.

24 A. We didn't even talk about my leadership during that
25 meeting. We just talked about Ben Trinsey.

1 But no, we did not have any conversation about my
2 leadership.

3 Q. From the time of April 12th of 2018 until the time of
4 your separation, is it your testimony that Mr. Pinto did not
5 talk to you at all about your leadership, zero?

6 A. He did not talk to me at all about my leadership. That
7 is 100 percent my testimony.

8 Q. Okay. And so from the time of April 12th of 2018 up
9 until the time of your separation, is it also your testimony
10 that he never made the statement to you, Shannon -- or to some
11 extent, what's happening with you? What's going on?

12 A. No. He didn't. That's not correct.

13 Q. He also never shared with you that you seemed to be stuck
14 or frozen, never said that as well?

15 A. No.

16 I would remember if he had, because I would have wanted
17 to understand what that meant.

18 Q. You wanted to understand what that meant if he had said
19 that to you, is that your testimony?

20 A. It is. If he had said that to me in 2018, I would have
21 wanted to understand what that meant. Stuck or frozen, I'm
22 not sure how I was stuck or frozen. I was showing up, I was
23 doing everything that was asked.

24 I was trying to lead the market at this crisis time, so
25 if he had said that, I would have wanted to understand what he

1 meant.

2 Q. I'll ask it differently.

3 Leaders develop tasks, they don't get asked to do tasks.

4 If I understand your testimony, you said that you were in
5 the store every day. Yes?

6 A. Not just that store but in Philadelphia.

7 Q. In stores?

8 A. Uh-huh.

9 Q. Yes?

10 A. Yes.

11 Q. And that you were actually doing what was being asked of
12 you. Yes?

13 A. Yes. To some extent, yes.

14 Q. When the leaders from Seattle came into the market, what
15 ideas did you provide any leader that came into the market
16 from Seattle as to what you needed to do?

17 MS. MATTIACCI: Objection, Your Honor, asked and
18 answered. Didn't we go through this?

19 THE COURT: I'll allow it. Overruled.

20 THE WITNESS: You're suggesting that --

21 BY MR. HARRIS:

22 Q. I'm asking you a question, Ms. Phillips. Can you answer
23 my question?

24 A. You're suggesting that I was even at these meetings. I
25 wasn't even invited to these meetings with Kevin Johnson or

1 Rossann or Roz Brewer. I don't think I ever even met Kevin.
2 I might have met Kevin at Howard's roundtable. I don't think
3 I ever spoke to Roz Brewer. I was not -- that was above my
4 pay grade.

5 My boss was in town, so if someone was meeting with these
6 high-ups and having meetings, it wasn't me. It would have
7 been Camille or maybe Zeta.

8 Q. So Ms. Phillips, as I understand your testimony, are you
9 telling the jury that you never met with Rossann Williams when
10 she came to the market?

11 A. No, no. I met with Rossann. I had lunch actually in a
12 group with Rossann at one point. But it wasn't a meeting. We
13 had lunch after Howard's open forum.

14 Q. So it was just a chat. You weren't talking about what
15 was happening during a crisis?

16 A. What I remember from the lunch was her saying, Howard
17 said this is the worst thing that's ever happened at
18 Starbucks.

19 Q. Yes.

20 A. And I knew that it probably was, that that was right.

21 Q. So Howard Schultz, the founder of the organization,
22 says -- says to Rossann and says to the group that this is the
23 worst thing that ever happened to the organization?

24 A. Yes.

25 Q. What did you say in that meeting? It was in your market.

1 A. I'm not sure how I responded in the moment. I thought,
2 this is a horrible situation and obviously even worse than
3 anything that's ever happened, which was very disappointing
4 that it happened in my market. And also I felt like it could
5 have happened in any city, it just happened to happen in
6 Philadelphia.

7 Q. Absolutely. It could have happened in any city but it
8 happened in your market?

9 A. Uh-huh.

10 Q. Yes?

11 A. Yes.

12 Q. So when they were meeting, when the brass came from
13 Seattle, you participated in those meetings, Rossann
14 Williams -- I mean, Rosalind Brewer?

15 A. I don't think I participated in any meeting with Roz
16 Brewer.

17 With Rossann, I --

18 Q. Who was at the lunch?

19 A. It would have been me, Camille, Rossann, I think maybe
20 Zeta was there at that point. It might have been Paul Pinto.
21 It was a round table. I can't recall everyone.

22 Q. So all of them would have had a vantage point in terms of
23 the perspective that you provided in that lunch. Correct?

24 A. Whoever was -- if they remember. I mean, I don't
25 remember it well. So that was the one thing I remember about

1 it was Rossann's comment. And I had not -- I had had very
2 little interaction with Rossann, ever, so when she made that
3 statement, it obviously, you know, meant something to me.

4 Q. So what did you say?

5 A. I'm sure I probably said, I feel terrible that this
6 happened and you have my word we'll move forward. That's
7 probably what I would have said. I can't say for sure that's
8 what I said but that's what I would have said.

9 Q. Ms. Phillips, you're under oath.

10 A. Yes.

11 Q. Is it your testimony that you said a word in that
12 meeting?

13 A. Lunch? Yes, absolutely, I would have been talking at
14 lunch, yes.

15 Q. Saying something strategic, Ms. Phillips.

16 A. It wasn't a strategic meeting. It was lunch.

17 Q. May I ask the question?

18 A. Sure.

19 Q. Rossann Williams, the head of North American retail is in
20 your market that says that Howard Schultz has remarked that
21 this particular incident is the worst in his company's
22 history. Do you remember that?

23 A. I do. I just told you that.

24 Q. And your response is you said something strategic in that
25 meeting?

1 A. I'm telling you, I don't recall exactly what my response
2 was. So what I think I would have said, I can tell you, but I
3 don't want to tell you the wrong thing.

4 Q. You have no independent recollection that you said a word
5 in that meeting that was strategic. Correct?

6 A. It was not really a meeting. It was lunch. So we were
7 talking about lots of different things, hey, it's really
8 exciting we just got approved for a local P&AP person. That's
9 wonderful news. It was a lot of -- it was just conversation
10 over lunch.

11 Q. So Rossann Williams says it's the worst incident ever in
12 the company's history and you're talking about something
13 dealing with a new hire?

14 A. It had just been approved that we were going to have a
15 local P&AP person for Philadelphia. It was a very big deal.
16 I don't think you understand how difficult the situation was,
17 so that was a big deal that he had approved this position.
18 And we were excited about it.

19 Q. Okay. So that came up in the meeting?

20 A. I believe so, yes.

21 Q. Okay. You mentioned something about this new hire in
22 that meeting?

23 A. I'm not sure how it came up, but it -- it came up that
24 Philadelphia was going to be approved for a local person,
25 yeah. Yep. It may have been me that said it, it may have

1 been someone else who said, oh, what do you think about the
2 fact that Howard just approved this new position.

3 Q. So Mr. Pinto or Ms. Hymes said in that meeting, which
4 you're calling a lunch --

5 A. It was a lunch. It was at the same hotel where the open
6 forum with Howard took place after.

7 Q. You're saying if someone testified that you did not say
8 anything strategic, they would be inaccurate?

9 A. It was lunch. I don't know that we were talking
10 strategic plans to move forward. It was lunch.

11 Q. Did you have 150 -- approximately 100- to \$150 million
12 profit and loss responsibility?

13 A. I did.

14 Q. And how many stores were you responsible for?

15 A. About 100.

16 Q. And how many district managers were you responsible for?

17 A. It changed over time, but it was anywhere between 8 to
18 12.

19 Q. And how many store managers were you responsible for?

20 A. About 100 to -- 80 to 120 at any given time.

21 Q. All of the areas that you just identified that you were
22 responsible for, you cannot think of one strategic thing that
23 you said to the head of retail when she was in the market, not
24 one?

25 MS. MATTIACCI: Objection, Your Honor, asked and

1 answered, like many times.

2 THE COURT: Overruled.

3 THE WITNESS: You're asking me to recall
4 conversations that happened more than five years ago and I'm
5 sorry --

6 (Court reporter clarification.)

7 THE WITNESS: Certain things are etched in my brain,
8 like the screaming, fire the manager, fire the manager.
9 That's etched in my brain.

10 Camille saying to me, the situation is not
11 recoverable. That's etched in my brain.

12 Every conversation with every senior leader that came
13 in, there were a million people that came into Philadelphia
14 between this time frame, so I can't tell you every
15 conversation with every person or every idea that was shared
16 or plan that was made. That -- I would not -- I just -- I
17 wouldn't be able to recall all that.

18 BY MR. HARRIS:

19 Q. I'm glad you brought up the fact that there were threats
20 made on the store manager.

21 You testified that there were threats made on Holly
22 Hylton's life. Yes?

23 A. That's correct.

24 Q. You said there were threats made on Paul Sykes. Yes?

25 A. I know that he was getting phone calls. I don't recall

1 if he was getting threats. But we definitely changed his
2 phone because he was getting phone calls with -- I don't know
3 if they were death threats, but threats.

4 Q. But threats nonetheless?

5 A. Yes.

6 Q. Because you were concerned about their safety --

7 A. Yes.

8 Q. -- and I think you testified on direct examination that
9 Paul Sykes's card was in the store. Yes?

10 A. Yes.

11 Q. At 18th and Spruce?

12 A. The store manager and the district manager had their
13 business cards on the condiment carts.

14 Q. Understood. But no one threatened you. Correct?

15 A. Did anyone threat -- I mean, I was said horrible things
16 to during a protest, but no, my business card was not on the
17 counter so I didn't receive any phone calls of threats.

18 Q. It wasn't public knowledge as to who you were,
19 Ms. Phillips, was it?

20 A. That's correct.

21 MR. HARRIS: All right. I have no further questions.

22 Thank you.

23 THE COURT: Do you have any redirect?

24 MS. MATTIACCI: No, Your Honor.

25 THE COURT: All right. You may step down.

1 (Witness excused at 2:46 p.m.)

2 THE COURT: Call your next witness.

3 MS. MATTIACCI: The plaintiff calls Camille Hymes as
4 of cross.

5 THE WITNESS: Do you want me to stand?

6 THE DEPUTY CLERK: Yes, please.

7 Could you please raise your right hand?

8 (**CAMILLE HYMES**, PLAINTIFF'S WITNESS, having been duly
9 sworn, testified as follows:)

10 THE DEPUTY CLERK: Now, can you please state and
11 spell your name?

12 THE WITNESS: Camille Hymes, C-A-M-I-L-L-E, last name
13 H-Y-M-E-S.

14 THE DEPUTY CLERK: Thank you. Be seated.

15 MS. MATTIACCI: May I proceed, Your Honor?

16 THE COURT: Yes.

17 DIRECT EXAMINATION

18 BY MS. MATTIACCI:

19 Q. Good afternoon, Ms. Hymes.

20 A. Good afternoon.

21 Q. I just want to first direct to your attention to the time
22 frame of April and May of 2018.

23 In that time, your position was regional vice president.
24 Correct?

25 A. Correct.

1 Q. And you were the boss -- direct boss of Shannon Phillips.

2 Correct?

3 A. Correct.

4 Q. You reported up to Zeta Smith. Correct?

5 A. I did.

6 Q. And she was the divisional senior vice president at the
7 time?

8 A. Yes.

9 Q. She reported to Rossann Williams. Correct?

10 A. Yes.

11 Q. Who reported up to Rosalind Brewer. Right?

12 A. Correct.

13 Q. Who reported directly into Kevin Johnson, the CEO.

14 Correct?

15 A. Yes.

16 THE COURT: Wait a minute.

17 Ms. Hymes, I need you to speak into the mic.

18 THE WITNESS: Sure.

19 THE COURT: Okay. If you could move up?

20 THE WITNESS: I'll lean forward.

21 (Court reporter clarification.)

22 BY MS. MATTIACCI:

23 Q. The position as vice president of retail operations, you
24 held that position for seven years; is that correct?

25 A. That is correct.

1 Q. And the business unit that you ran was worth a billion
2 dollars. Correct?

3 A. At that time, just about that, yes.

4 Q. And about two-and-a-half years after Ms. Phillips was
5 fired, you were still working at Starbucks. Correct?

6 A. That is correct.

7 Q. And you were promoted by Starbucks up to corporate vice
8 president. Correct?

9 A. That is correct.

10 Q. You held the position of corporate vice president for
11 two-and-a-half years. Correct?

12 A. Yes.

13 Q. And you just recently have left Starbucks. Right?

14 A. Yes.

15 Q. You're currently at Smoothie King. Correct?

16 A. Correct.

17 Q. And your position is chief operating officer?

18 A. Correct.

19 Q. So you report directly into the CEO at Smoothie King?

20 A. Yes.

21 Q. You just started that position this week. Correct?

22 A. Monday.

23 Q. Monday.

24 In terms of Ms. Phillips back in the time frame of this
25 case in 2018, you had been supervising her for about four

1 years. Correct?

2 A. Correct.

3 Q. You'd agree with me that up until 2018, so from 2014 to
4 2018, when you were directly supervising her, that you
5 considered her a strong performer. Correct?

6 A. I did.

7 Q. And her key performance indicators and her metrics were
8 very good. Correct?

9 A. Yes, they were.

10 Q. Her customer connection scores were good as well.
11 Correct?

12 A. That is correct.

13 Q. Her sales, they increased year after year. Correct?

14 A. Yes.

15 Q. Her employee metrics, her employee partner metrics in
16 terms of stability, they were strong. Correct?

17 A. They were consistent with the Mid-Atlantic region, yes.

18 Q. You believe that she was a partner who deeply understood
19 the culture. Correct?

20 A. Yes.

21 Q. And she was deeply immersed in connecting with partners
22 in those four years. Correct?

23 A. That was my perception.

24 Q. And she was a developer of talent.

25 You'd agree with me?

1 A. I would say, yes, a developer of talent, yes.

2 Q. And prior to the incidence on April 12, 2018, you never
3 considered terminating Ms. Phillips. Correct?

4 A. That is correct.

5 Q. You considered Ms. Phillips one of your stronger regional
6 directors that reported in to you?

7 A. I considered Shannon a strong partner, yes.

8 Q. And prior to April of 2018, you never placed Ms. Phillips
9 on any sort of performance improvement plan. Correct?

10 A. That is correct.

11 Q. Or otherwise warned her that her performance was
12 materially deficient. Correct?

13 A. Correct.

14 Q. Now, Starbucks identifies you as the person who made the
15 decision to terminate Ms. Phillips.

16 Is that true?

17 MR. HARRIS: Objection, Your Honor.

18 THE COURT: If she knows.

19 MS. MATTIACCI: Do you know?

20 THE COURT: Overruled.

21 THE WITNESS: There was a group of leaders, including
22 myself. I'm ultimately responsible for the separation of
23 Shannon Phillips, yes, but that was not me unilaterally. That
24 was over several conversations with our partner resource
25 organization as well as our legal counsel.

1 BY MS. MATTIACCI:

2 Q. Can you give me the names of the folks that collaborated
3 in the decision to terminate Ms. Phillips?

4 A. You have indicated Zeta Smith as one, Rossann Williams,
5 Jen Frish, Paul Pinto, Nathalie Cioffi. Those that you've
6 indicated on that board.

7 Q. And you also consulted with legal, in-house counsel?

8 A. I would say that Nathalie Cioffi was a direct conduit
9 there, yes.

10 Let's see if there was any -- Robyn Ruderman. Robyn
11 Ruderman was the counsel.

12 Q. At the time that Ms. Phillips was terminated, you were
13 aware that there were laws in place that prohibited
14 discrimination. Correct?

15 A. Correct.

16 Q. And particularly discrimination in the workplace?

17 A. Absolutely.

18 Q. Now, is it true that the reason that you gave for the
19 termination was because that Ms. Phillips engaged in
20 misconduct?

21 A. I would say that is correct. I could further add context
22 to that question, if you allow.

23 Q. Yes. We're going to get to that in a minute.

24 A. Okay.

25 Q. But the Starbucks's stated reason is that she engaged in

1 misconduct?

2 A. That is correct, and a lack of leadership, a lack of
3 accountability and ownership for the situation, yes.
4 Behavioral-based alone.

5 Q. Behavioral based?

6 A. Behavioral based. The decision was based on the
7 behaviors that were being observed at the time.

8 Q. She wasn't terminated, then, in connection with the
9 events that occurred on April 12th when 911 was called and the
10 two gentlemen were arrested. Correct?

11 A. She was not arrested (sic) based on the incident itself.
12 She was terminated based on her leadership and the
13 incapabilities that pursued post the event.

14 Q. Let's take a look -- I'm going to show you a document.
15 It's going to appear on the screen right there for you.

16 This is a court document called Plaintiff's -- The Answer
17 to Plaintiff's -- I'm sorry, one second.

18 I'm going to choose another document.

19 121, I'm sorry. I think that's what I said, but I put up
20 the wrong one.

21 So 121, this is Starbucks Corporation's Answer -- why
22 does it keep doing that -- Answers and Objections to
23 Plaintiff's First Set of Interrogatories.

24 Do you see that?

25 A. I do.

1 Q. Okay. And these are just questions that are asked in the
2 beginning of the case to the defendant to state in writing
3 what their explanation is for the termination.

4 Do you understand that?

5 A. I do.

6 Q. And if we look --

7 MR. HARRIS: Your Honor, may I object?

8 I don't know if a foundation has been laid that
9 Ms. Hymes would have ever seen that document.

10 MS. MATTIACCI: I'm going to get there on this
11 question.

12 THE COURT: Overruled.

13 BY MS. MATTIACCI:

14 Q. If we go to the last page of this document, there's a
15 verification there with your name and signature.

16 Do you see that?

17 A. I do.

18 Q. And you had certified that the answers to these
19 interrogatories are -- it's a bigger word for questions --
20 were prepared with the assistance of counsel and upon whom you
21 relied, and the answers set forth are true and correct to the
22 best of your knowledge and belief. Correct?

23 A. Yes. I haven't seen this document since 2020. It's
24 three years later, so I would assume with my signature, that
25 is correct.

1 Q. Okay. We asked Starbucks to state with specificity each
2 and every legitimate, nondiscriminatory reason as to why
3 plaintiff was terminated on or about May 9, 2018.

4 And the answer given was: Ms. Phillips was the Regional
5 Director for the Philadelphia market where Starbucks faced a
6 crisis following the widely-publicized April 12, 2018 arrest
7 of two black males in a Philadelphia Starbucks store. As the
8 Regional Director responsible for supporting the store where
9 the arrests occurred, Ms. Phillips was expected to step up,
10 support the partners in the market, and lead the market
11 through the crisis. Ms. Phillips failed to do so, and her
12 actions in the weeks after the arrests demonstrated she lacked
13 the leadership skills and ability to guide the market and its
14 partners through the crisis and toward recovery. Accordingly,
15 Starbucks terminated Ms. Phillips's employment. Beyond that,
16 Starbucks objects to this Interrogatory because it calls for a
17 narrative response more appropriate for deposition testimony.

18 Do you agree with this answer?

19 A. I do.

20 Q. Let's take a look at 54.

21 A. I'm sorry, 54?

22 Q. Yeah. I'm going to put it up on the screen for you.

23 So the arrests occurred on April 12, 2018.

24 So this is five days after the arrests, on April 17th,
25 you send an email to Ms. Phillips and others saying: I'm so

1 proud to be your partner. I know how much you've poured your
2 heart into this community and our partners. And I have no
3 doubt that Howard will feel inspired by his connections with
4 you and your teams. Your amazing leadership and kindness will
5 shine through during this very difficult time.

6 I appreciate all that you do.

7 Do you recall sending that email?

8 A. Absolutely. It was an encouraging email. I could sense
9 that there was anxiety. I was foreshadowing what was
10 possible, as you read in the last sentence there, that her
11 leadership will shine through. It was an encouraging note.
12 It was a note of encouragement.

13 Q. And you, at that point, didn't have any plans to
14 terminate Ms. Phillips. Right?

15 A. No. This was -- no, I did not.

16 Q. And she didn't do anything up until that point to justify
17 a termination. Correct?

18 A. That is correct.

19 Q. If we look at Exhibit 43 which I'll put up on the screen
20 for you, this is an email from Saturday, April 14th, which you
21 are sending to Mr. Eckerson (sic). Correct?

22 A. To Mr. Eckerson?

23 There's a lot of names on here. I sent it to John and
24 Nancy -- I'm sorry, where is Mr. --

25 Q. Oh, I was looking at the very top, I think the last

1 forward, it looks like you forward it once --

2 A. Oh, that's Frances Ericson. Yes. There's to Frances
3 Ericson. That's a female.

4 Q. Okay. And that she's in HR?

5 A. She was -- no. She was covering for Zeta Smith, who was
6 on vacation.

7 Q. Okay. So she was covering as your direct supervisor at
8 this time?

9 A. Correct.

10 Q. And you're sending this to her on Saturday, April 14th,
11 which is two days after the events.

12 A. Correct.

13 Q. The email that you're forwarding to her is actually
14 something that was created back in October of 2017, and the
15 subject of the bottom email says: Safe and Welcoming signage.

16 Do you see that?

17 A. Yes, I do.

18 Q. This was the signage that was created back or implemented
19 back in October of 2017. Correct?

20 A. This signage was specifically for a market in California.
21 So the signage at the top, the seating is reserved for
22 Starbucks customers, was designed for a test market in San
23 Francisco. And subsequently used in Philadelphia.

24 Q. Okay. And this was the signage in effect at the time of
25 April 12, 2018?

1 A. In certain markets in Philadelphia or certain stores in
2 Philadelphia, correct.

3 Q. Okay. And that would include the store where the arrests
4 took place?

5 A. Correct.

6 So if you go back to the other page, it shows that this
7 is for select test stores in California.

8 Q. Okay.

9 A. Both of those. So that clearly demarc (sic). And same
10 thing for the third one as well.

11 Q. If we look down at the email from Ronda Knight from P&AP
12 back in October of 2017, she writes an email which you're
13 copied on that says: Hi, I want to share the below
14 information to help locate and point out shelters, churches
15 and police stations which may be of some assistance to
16 connect, since we continue to have safety and security
17 incidents in our locations in downtown Philadelphia.

18 Here are maps which show our store locations and shelters
19 and churches as well as police stations in a mile radius.

20 Store numbers are listed on the map -- on map by green dots.

21 Just an idea for you as well. In another region there
22 was a store which was having issues with noncustomers and they
23 were able to connect with a local shelter and provide coffee
24 service which a volunteer came and picked up in the early
25 morning and the shelter served the coffee and we had a

1 decrease in traffic of noncustomers as well as it helped with
2 community relationship-building.

3 Also, I have listed addresses and phone numbers under the
4 maps if you want to reach out. Hope this is a tool you can
5 utilize.

6 So this information in regards to the Safe and Welcoming
7 policy was being sent back in October by Ronda Knight.

8 Correct?

9 A. Correct.

10 Q. And Mr. Trinsey provided in response to a request the
11 addresses of the methadone clinics that are very close to the
12 stores, which were -- ended up being included in the map as
13 well. Correct?

14 A. Correct.

15 Q. Starbucks had some programs for outreach to the homeless
16 population. Correct?

17 A. Correct.

18 Q. That included one we just saw as an example is providing
19 coffee in the morning?

20 A. Yes. Not exactly sure the correlation between the two
21 black men arrested and the methadone clinics and the homeless
22 shelters. So maybe you can help me understand the question or
23 context behind your questioning with the methadone clinics and
24 the two men arrested at 18th and Spruce.

25 Q. Ma'am, I wasn't even asking about that. I was -- I'm

1 just asking you about the homeless population right now and
2 the outreach that was done.

3 A. Okay. I'm just -- okay. Thank you.

4 Q. There's another program that Starbucks had a lot of
5 action with which was YouthBuild. Correct?

6 A. Correct.

7 Q. And you're aware that there was a former homeless person
8 named Carmen Williams that Ms. Phillips mentored. Correct?

9 A. Correct.

10 Q. And as part of the YouthBuild program, Ms. Williams was
11 able to get a job at Starbucks. Correct?

12 A. Yes.

13 Q. And that was something that was even featured in articles
14 and in commercials for Starbucks, was the relationship between
15 Ms. Phillips and Ms. Carmen Williams and her rise through
16 YouthBuild to Starbucks. Correct?

17 A. Absolutely.

18 Q. And isn't it true that one of the things that
19 Ms. Phillips had suggested was to reach out to Carmen to help
20 figure out best ways to accommodate the homeless population by
21 keeping them safe but also keeping customers safe at the same
22 time because she thought she would have a unique perspective
23 as once being homeless and now being a partner at Starbucks?

24 A. Yes.

25 Q. Let's take a look at 136.

1 136 is an email from -- I'm going to present that to you.

2 Thursday, April 19th from Ms. Phillips to you and it's
3 called the Philadelphia Protest Response Team.

4 Do you see that?

5 A. I do.

6 Q. And in this email, she is advising that: As we navigate
7 the unpredictable terrain in healing the Philadelphia market
8 with an unfortunate incident, we have created the Philadelphia
9 Protest Response Team.

10 This is something that you wanted her to do. Right?

11 A. Correct.

12 Q. And these are some folks that were in her region that she
13 identified as potential people that would be good in this
14 role. Correct?

15 A. Yes.

16 Q. And so as of the 19th of April, Ms. Phillips had not done
17 anything that, in your mind you were thinking, I got to
18 terminate this person. Right?

19 A. Correct.

20 Q. You'd agree with me that Shannon Phillips was
21 instrumental in helping prepare for protests that were
22 occurring in the stores. Correct?

23 A. Correct. I would say, to add more context, there were --
24 it was a very tumultuous time, and there were moments in which
25 Shannon was present and organizing the response team, and then

1 there were other moments where she was not present and did not
2 play an integral role in managing through some of the very
3 critical aspects of supporting the Philadelphia market.

4 Q. Okay. We're going to -- we'll get more specific on that
5 maybe.

6 A. Okay.

7 Q. That first week on that Sunday, the arrests take place on
8 the 12th, and you recall that Sunday there was a large protest
9 at the 18th and Spruce store?

10 A. Yes.

11 Q. Do you recall that you were at that protest inside the
12 store, trying to speak to the protestors. Correct?

13 A. There were many protests throughout the weeks, and I was
14 most likely there, yes.

15 Q. Do you recall one of the protests that you were at on
16 that Sunday where there -- you were inside the store, there
17 were a lot of news cameras there, there was Channel 6 was
18 there and the store was very filled and there was a man with a
19 bullhorn that was screaming right on top of you, fire the
20 manager, fire the manager, we can talk about policy later,
21 fire the manager?

22 A. I do remember that incident. I remember actually hugging
23 him, because he was in such distress. I mean, this -- the
24 Philadelphia situation was actually a lightning rod. I
25 recognized that he was looking for media attention, and there

1 was also a desire for healing.

2 I literally wrapped my arms around the protester so that
3 he could understand that we were hearing him. But in no way,
4 shape or form was I to take direction from someone pointing a
5 bullhorn at me, for clarification.

6 Q. Okay. He -- you know, there is video of that whole
7 situation. He didn't seem too responsive to your trying to
8 explain that there was a policy in place and the manager, you
9 know, had followed the policy?

10 A. When the cameras are off and you're having a conversation
11 with another human being who is expressing distress and
12 concern, you can -- many things can happen. Some things that
13 you see on the media are just the sound bites. But that is
14 just a snapshot of what happened throughout the entire
15 protest.

16 The media would like for you to believe that it's one
17 pitted against another. But when you sit down and have
18 conversations with people, things can change.

19 So the direction to what you're asking is someone with a
20 bullhorn asking for someone to be fired, that is not the
21 direction that we take at Starbucks in terms of pacifying
22 protestors. We don't take guidance from protesters on how to
23 manage our partners.

24 Q. Okay. But as of the time of that protest, Ms. Hylton was
25 still employed at Starbucks?

1 A. That is correct.

2 Q. And she was fired within two days after that. Correct?

3 A. I don't know the timeline.

4 Q. Okay.

5 A. I do not know the timeline. I do know that we did a
6 thorough and complete investigation. And after learning that
7 what she reported was inaccurate and also learning that there
8 were -- there was a history of racism that she put in her
9 social media, we determined the best course of action for her
10 was to separate from the company.

11 Q. So there was an investigation into Holly Hylton that
12 involved pulling social media posts that she did?

13 A. Yes.

14 Q. And Starbucks pulled this together and concluded she
15 was --

16 A. There was a full investigation -- I'm sure there was a
17 full investigation of everyone, trying to understand the
18 circumstances behind why two gentlemen who were sitting in a
19 Starbucks store were pointed out, over all the other people
20 who were sitting in a Starbucks store, to be arrested.

21 She, as the manager, would be under investigation, yes.

22 Q. Okay. My only question is, do you know why we have not
23 been given any documentation concerning any investigation done
24 into Ms. Hylton that in any way references social media posts
25 and things of that nature?

1 A. I could not speak on behalf of the attorneys. Shannon
2 Phillips was aware that we discovered the situation with the
3 history on Holly. She had individual conversations with
4 Nathalie Cioffi about her social media posts regarding African
5 Americans. That is not anything that I would understand if
6 you were to know or not know the circumstances behind her
7 separation.

8 Q. Ma'am, I'm just saying, we've been in litigation for five
9 years, and there's thousands of documents over there.

10 I've never seen a document that shows any sort of social
11 media posts of Ms. Hylton and I'm just wondering if you have
12 any knowledge of why that was not given to us at any point?

13 A. I do not.

14 Q. Okay. So let's talk about how at one point you had
15 recommended Ms. Phillips for a community leadership role.

16 Do you recall that?

17 A. I do.

18 Q. And that community leadership role ended up being pulled
19 on May 2nd. Correct?

20 A. Correct.

21 Q. But up until May 2nd, you had supported her for that
22 role. Correct?

23 A. We were looking for alternatives based on the
24 conversations Shannon Phillips and I had about the
25 circumstances behind this event and her ability to lead in the

1 future for the area 71.

2 She and I spoke very frequently in terms of how she was
3 showing up in the market and the trust that was broken in the
4 market, the feedback that was given by the partners. And so
5 we were exploring alternatives for her based on the
6 in-the-moment investigation that was happening in terms of her
7 leadership.

8 So, yes, we were exploring potential exit strategies for
9 Shannon prior to the actual offer for separation/termination.

10 Q. Okay. So you'd agree with me -- my question was very
11 simple.

12 Did you support her for this position up until May 2nd,
13 when it was pulled?

14 A. I don't know the timeline of when I had the
15 conversations, so under testimony, I want to be very careful.

16 What I will say is between the time of our conversation,
17 Shannon and I had the conversations around what would be best
18 for her and the partners that she was leading who felt as
19 though there was a failure and a lack of accountability.

20 We then determined that this was not the proper approach,
21 and so between -- I don't know the timeline, because this is
22 five years ago, so you'll have to forgive me if I don't know
23 the date specifically.

24 Q. Okay. But you just agreed with me that the position was
25 pulled on May 2nd. Correct?

1 A. I couldn't tell you the date. If that's --

2 Q. I thought you just said yes.

3 A. I don't -- what I answered to was the fact that I did
4 support Shannon, and then I didn't.

5 Q. Okay. We can agree on that?

6 A. So I don't know the dates.

7 Q. Okay. We can agree on that.

8 In this time frame, you were supporting her, though.

9 Sometime between the 19th and when she was separated from
10 employment, you did support her for that position?

11 A. We were exploring that as an option.

12 Q. Okay.

13 Let's look at 30.

14 This is an email from April 20th that you send out to
15 your team. It doesn't have all of the tos, but one of the
16 people it goes to is Shannon Phillips.

17 And you say: Team, Please vet prospectives prior to
18 sending me your recommendations. We're on the clock for this
19 one.

20 And this is talking about the community leadership
21 position --

22 A. Uh-huh.

23 Q. -- that you had recommended Shannon for.

24 You say: As a filter, this opportunity is for someone
25 with high emotional intelligence, existing Philadelphia

1 community connections, interpersonal savvy, executive presence
2 and strong project management and communication skills.

3 Do you see that?

4 A. I do.

5 Q. And so then Ms. Phillips says: I would suggest Michael
6 Scott for this. I don't have anyone on my DM team that I
7 think would be able to step into this position.

8 Do you see that?

9 A. (Nodding head.)

10 Q. But then later on, you recommend to Shannon Boldizsar
11 that you think that Shannon would be good for this position.
12 Correct?

13 A. That is correct.

14 Q. Because you thought that she had high emotional
15 intelligence. Correct?

16 A. I was actually looking to help her with an exit strategy
17 out. That was the original note.

18 I came to learn, based on a crisis situation, that there
19 were challenges in leadership presence. There were challenges
20 in the emotional intelligence space with Shannon Phillips.

21 Q. Okay. You wanted her out.

22 And as of April 20th, though, you didn't want her out.
23 Right? Or had you determined at this point when you sent this
24 email?

25 A. Shannon and I were having conversations because of the

1 way she was showing up in the market, so it wasn't I wanted
2 her out. In fact, the conversation evolved when Shannon said:
3 I'm not built for this. I can't do this. This is too
4 complicated for me.

5 And so based on those conversations, very shortly after
6 the incident, we started to talk about how to explore options.

7 Q. So you're saying very shortly after the incident, so it
8 would be before this email or after this email that you're
9 saying you wanted to start exiting her out?

10 A. We were on a -- I appreciate all of your questions.

11 We were on a very rigorous timeline. I couldn't tell you
12 in certainty five years later at what moment on what day did
13 we transition from trying to cope through the situation to
14 exploring options for Shannon's exit.

15 Q. Do you have any documents that could tell us when that
16 day was, whether it be an email, a text message, a note,
17 anything that documents these alleged performance issues?

18 A. There were conversations almost daily on the concerns in
19 terms of Shannon showing up for specific events.

20 I can tell you the very specific day. I don't know what
21 day it is, but it was the day in which we had a broadcast with
22 partners, and Shannon was to -- to lead the conversation with
23 our partners. I think it was at the 34th Street store. And
24 she showed up late. She remained in the corner. Other
25 leaders had asked if they could assist to initiate the

1 conversation because Shannon was not literally present, even
2 though physically, not mentally in the room with our partners
3 during that time.

4 Right after that, I pulled Shannon aside and I asked,
5 because this had been going on for several days, almost weeks:
6 Are you okay? Is there something that I can do to support
7 you? This isn't going well.

8 Day after day, whether it was a conference call that she
9 missed or the fact that she wasn't owning what was happening
10 in the market or understanding the gravity of what was
11 happening, it got to a point where we had to have a
12 conversation like: Is this right for you?

13 Q. When did that happen, Ms. Hymes? I'm trying to
14 understand.

15 A. Whatever date we had the broadcast event. I don't
16 have -- I have never seen that calendar before, so please
17 forgive me. I am very far away from that, and it's five years
18 ago.

19 But it was the day in which we had a broadcast meeting
20 with our partners at 34th Street.

21 Q. You prepared for your testimony with your counsel today,
22 correct, Mr. Harris?

23 A. Correct.

24 Q. And in that preparation, were there any documents that
25 could give you any indication that there was, even internally

1 documented, that Shannon Phillips must be fired or any
2 indication to her, any email --

3 A. We had daily -- we had daily -- I do not have
4 documentation. We were on the clock 24/7, and we were in a
5 crisis. We had to handle our partners being in distress. We
6 had conversations around Shannon being concerned that she was
7 going to be terminated.

8 There were daily conversations, seven days a week, almost
9 24 hours a day. There was no opportunity for progressive
10 discipline or written documentation. These were boots on the
11 ground. We're dealing with our partners having bull horns in
12 their faces, and we are prioritizing time, those who actually
13 drove down to support the market in support of our partners.

14 So to answer your question, there was no written
15 documentation, but there were conversations after every
16 incident where there was a lack of attention to what was
17 happening to our partners.

18 The focus was primarily on the image of Shannon, what was
19 going to happen to Shannon, and not what was going on with the
20 partners who were in extreme distress. That was a lack of
21 ownership and accountability. There was a victimization
22 mentality that was happening, and it had to be addressed
23 directly, one on one, in person. That was the conversation.

24 Q. Can you give me -- I'll ask you a very open-ended
25 question -- any specific example of where Shannon Phillips

1 completely just was a utter failure of a leader to a point
2 where she must be terminated right now after 15 years,
3 after -- after 13 years and 12.9 of them where she had
4 phenomenal performance? Like, what is the thing that happened
5 where she had to be terminated?

6 A. So the perception was strong leadership.

7 The results sometimes are misleading.

8 When we had roundtables with our partners, our partners
9 sat and had conversations with us about the leadership of
10 Shannon Phillips. And over and over again, through those
11 roundtables, the same exact conversations around the lack of
12 accountability, the lack of approachability, the lack of
13 follow-through on really important issues came through.

14 Through those roundtables, our partners were speaking up.

15 Q. Was there any documentation of anything that was said at
16 the roundtables, concluded from the roundtables, anything?

17 A. I don't have document- -- we don't document what our
18 partners are sharing with us in the moment.

19 Q. But this -- these alleged statements are going to lead to
20 the termination of a person that's worked at Starbucks for a
21 long time, and there's nothing that's being memorialized about
22 it?

23 A. That's correct.

24 Q. And you're talking about the feedback are from people
25 that work in the stores in Philadelphia? Is that who's giving

1 you the feedback?

2 A. Yes.

3 Q. And so these are hourly employees and baristas?

4 A. Baristas, yeah.

5 Q. Baristas?

6 A. Uh-huh, store managers and assistant managers.

7 Q. Okay. And those store managers and assistant managers,
8 they roll up to district manager, correct?

9 A. Correct.

10 Q. And in Philadelphia at this time, there were only two
11 district managers. Correct?

12 A. Correct.

13 Q. It was Mr. Sykes and Mr. Trinsey. Correct?

14 A. Correct.

15 Q. So to the extent that there were people below that were
16 hourly and baristas and store managers and assistant store
17 managers, half of them were coming up to Paul Sykes, and half
18 of them were coming up to Mr. Trinsey. Correct?

19 A. That is correct.

20 Q. And so you're not suggesting that all of these things
21 that you're hearing about concerning not being heard or not
22 being listened to were just under Mr. Trinsey's side of the
23 city. Right?

24 A. The leader is responsible for the leaders, so when the
25 partners at whatever level are expressing concerns or distress

1 or sort of a lack of accountability, that's a reflection of
2 multiple levels, including myself.

3 There were times where I had to reflect and recognize
4 that I could have done better to understand what our partners
5 were sharing with me, and I owned it. I never diverted
6 attention to methadone clinics or restrooms. I owned what was
7 happening in that market, and I had the same expectation of my
8 leaders. If my leaders aren't showing up in a manner in which
9 there is ownership and accountability, that will lead to
10 separation.

11 Q. Okay. And so that's what led to the separation of
12 Ms. Phillips. Right?

13 Ms. Hylton was already terminated, and then Mr. Trinsey
14 lost his job too. Correct?

15 A. Correct.

16 Q. But Mr. Sykes didn't get terminated. Correct?

17 A. Not at that moment, but eventually, there was a
18 separation for Mr. Sykes as well.

19 Q. He was not terminated. Correct?

20 A. He was not terminated.

21 Q. He eventually just left on his own?

22 A. It is -- I'm not clear on that. I don't know.

23 Q. Do you think Mr. Sykes was terminated from Starbucks?

24 A. I'm answering under the oath that I do not know.

25 Q. Well, we certainly know that you were not terminated.

1 Correct?

2 A. That is correct.

3 Q. Let's take a look at this email from April 26th.

4 This is from Jennifer Otepka to Shannon.

5 THE COURT: Does it have an exhibit number?

6 MS. MATTIACCI: Yes. I'm sorry, Your Honor. 78.

7 BY MS. MATTIACCI:

8 Q. It says: Hey Shannon, I hope all is well. I know this
9 email, for me personally, is long overdue; but better late
10 than never. As I transition with new beginnings with a new
11 DM - my reflections over my 11 years and my Starbucks journey
12 has flashed before me and I felt the need to shoot you an
13 email to not only say hey but also to thank you for the impact
14 you have made on me as a manager.

15 Though I am now a manager in the Southeast, your impact
16 as an RD has truly impacted me during my time in the
17 Mid-Atlantic. As I share my Starbucks journey with partners,
18 and most recently a developing SSV, I always find myself
19 starting off my story with - I am where I am at today because
20 someone believed in me. And though it may have been
21 overlooked by som, I will always remember that day in
22 Haddonfield - sitting in the conference room in front of Delma
23 Wells and Marie Monzo during my PIAT as an ASM, crying my eyes
24 out because I felt lost as a partner. You told me, "Jenn, as
25 a partner, you may not know the business side of your role -

1 like understanding the P&L or understanding reports, but you
2 do hold characteristics of a great manager that are not
3 teachable - your drive and willingness to grow and deliver."
4 I recall you even offering to teach me personally if that's
5 what it took.

6 In my time as a manager - I have referenced this exact
7 moment so many times. When it comes to any kind of
8 development piece, sharing my own personal story or when
9 another partner is also feeling lost. I am where I am because
10 you believed in me and put your stamp of approval to push me
11 forward. And I wanted to let you know that I am so grateful
12 for that. You and Michelle have taught me so much in my time
13 with you, and I always remember that.

14 And then she talks about currently being in her store.

15 Ms. Phillips forwarded you that email on the 27th, Friday
16 the 27th. And she said to you: Do you ever notice when you
17 need to hear it most, someone reaches out to tell you they
18 appreciate you? I hope you aren't reading this until you are
19 back and that you didn't watch the partner open forum today.
20 I didn't either, by the way, I was in 18th and Spruce at the
21 time. But I talked to TJ after and he said Rossann said
22 during the POF that Camille Hymes is the kind of leader she
23 aspires to be.

24 I want you to know I feel the same and I so appreciate
25 who you are and all of your support. Thank you for being you.

1 Enjoy this note. I certainly did. Jen's been gone from
2 A71 for two years, transferred to North Carolina. Talk soon,
3 Shannon.

4 Do you recall getting that email?

5 A. I do.

6 Q. As of that time, had you already decided that you were
7 going to terminate Ms. Phillips?

8 A. I don't have a timeline for the exact date where the
9 decision was made. I cannot answer that under oath, because I
10 don't have the exact day.

11 Q. Okay.

12 A. I'm sorry to -- I can't answer that.

13 Q. You believe that Ms. Phillips did look up to you.
14 Correct?

15 A. I do. And I cared very deeply about the experience that
16 Shannon was going through. She was struggling. It was
17 difficult. It was painful. I think she felt deeply for our
18 partners. I strongly believed that we were going to do
19 everything possible to make it a success for a turnaround, but
20 I just didn't see evidence of that as we continued to move
21 through the timeline.

22 It was unfortunate, it was heartbreaking to have to
23 deliver and have the conversation with Shannon that it was
24 just not going to work. Having her to rebuild trust with a
25 team that didn't trust her, to have her go through repairing

1 the market when there was a lack of ownership and a focus on
2 other things aside from what was happening in front of us.

3 Q. You said the team didn't trust her?

4 A. I would say that the trust was broken.

5 Q. The trust was broken and they didn't trust Shannon
6 anymore?

7 A. Yes.

8 Q. All of the partners?

9 A. I would say that would be an impossible number, like
10 100 percent. But I would say a majority of partners expressed
11 in one way or another that they had concerns around leadership
12 in market. That wasn't Shannon specifically. That could have
13 been Ben. It could have been Paul. It was a leadership
14 concern that came through in the roundtables.

15 Partners were crying. Partners were in distress. It was
16 a reality that was being faced in the moment.

17 Q. Okay. So you're saying they weren't complaining
18 specifically about Shannon, they were complaining about just
19 leadership in general in the market, and that could have been
20 Ben, that could have been Paul, that could have been Shannon.

21 That's what happened?

22 A. The leader of the market is responsible for leadership.
23 So it starts from the top.

24 So our partners were referring to the leaders in the
25 market.

1 Q. Was it the black partners that were upset with how
2 Shannon was leading?

3 A. That is an unusual question.

4 I'm referring to all of the partners regardless of what
5 color they were. Our partners were expressing concern over
6 how we were leading through the situation.

7 There were, however, black partners who shared that there
8 was inequity in terms of pay, I recall. So if you're pointing
9 out one specific ethnicity, I would say that that is an
10 indirect way of saying that there are specific groups that had
11 different issues.

12 Q. Okay. So there were some black partners that were
13 complaining that they were underpaid versus the white partners
14 or nonblack partners?

15 A. That is correct.

16 Q. Were they alleging that Shannon Phillips was responsible
17 for this?

18 A. There was a lack of closure to investigating the
19 allegations.

20 Q. And the investigation into allegations, you'd agree with
21 me was done by BEC, right, the business and ethics commission,
22 committee?

23 A. The responsible parties are the leaders in the market.
24 They own the outcome. So they need to follow up, and they
25 need to close it out with our partners.

1 Q. But they don't do any of the -- if there is a complaint
2 about pay disparity, it's not the actual person who the
3 complaint is about who does the investigation. Correct? It
4 would be some other department?

5 A. Correct.

6 Q. So to the extent that there was not closure done on those
7 investigations, that would be that other department that
8 didn't finish the investigation if that in fact was the case?

9 A. Correct.

10 Q. And there's no conclusion that was ever reached by
11 Starbucks that Shannon Phillips was somehow discriminating
12 against African American employees. Correct?

13 A. No.

14 Q. And there was no conclusion that she in fact was somehow
15 responsible for setting any pay disparity based upon race.
16 Correct?

17 A. Correct.

18 Q. And so how could she be held responsible for complaints
19 that are being made about pay disparity and race when she
20 wasn't the one that had any ability to control that?

21 A. When there are open complaints in your market, our
22 partners are sharing that there are complaints, as a leader
23 you're responsible for closing open complaints in a timely
24 manner.

25 So the responsibility ultimately lies with the leader.

1 That's why we're still here today five years later talking
2 about accountability. Accountability begins and ends with the
3 leader. So whether it is a complaint from a partner or a
4 complaint from a customer, closure is essential.

5 You usually, at the director level, close that through
6 competent leadership at the district manager level or at the
7 store manager level, but there is full accountability at all
8 times when you're running operations, for closing conflict for
9 customers and for partners.

10 Q. So if hourly employees and customers had complaints, the
11 first line that should close it is the store manager.

12 Correct?

13 A. That is correct.

14 Q. Then if it's not, then the district manager. Correct?

15 A. Correct.

16 Q. And if not, then it goes up to the regional director?

17 A. Correct.

18 Q. And if not, then up to you. Correct?

19 A. Correct.

20 Q. There were open complaints concerning Paul Sykes at this
21 time, correct, in 2018?

22 A. I do not know. I cannot answer that under oath. Nor of
23 Ben Trinsey.

24 Q. Okay. So these were the only two district managers in
25 Philadelphia, so there were no open complaints in Philadelphia

1 then?

2 A. I don't know how to answer that question. I have not
3 looked at the complaints. That was a very long time ago. I
4 can't answer that question. I'm sorry.

5 Q. Okay. Well, you just said that there were open
6 complaints and that was a problem but you don't think there
7 were any under Sykes and you don't know of the same for Ben,
8 so we don't know what those other complaints were?

9 A. Well, I do know the one with the African Americans, that
10 was under Ben Trinsey.

11 Q. There was a complaint under Mr. Trinsey?

12 A. I believe so.

13 Q. Of African Americans --

14 A. For pay. Correct.

15 Q. Okay. We'll get to that.

16 THE COURT: Perhaps this is a good time for the
17 mid-afternoon recess.

18 MS. MATTIACCI: Yes, Your Honor.

19 THE COURT: Let's stand in recess.

20 (Jury out.)

21 (Recess at 3:41 p.m. until 3:54 p.m.)

22 THE COURT: Bring the jury in.

23 (Jury in.)

24 THE COURT: Please be seated.

25 You may continue with your questioning.

1 MS. MATTIACCI: Thank you, Your Honor.

2 BY MS. MATTIACCI:

3 Q. Before the break, Ms. Hymes, we had some questioning here
4 about methadone clinics and homelessness. And I want to show
5 you an Exhibit 138 from April 15th of 2018.

6 You see at the top there, that's Paul Sykes, and he's
7 responding to Reggie Borges at the top of that email there.

8 Do you see that?

9 A. I do.

10 Q. And Paul Sykes is the -- was the district manager for the
11 store where the arrest took place. Correct?

12 A. Correct.

13 Q. And Reggie Borges is a high-level executive in media
14 relations for Starbucks or was?

15 A. He was a director in public affairs.

16 Q. In public affairs. Thank you.

17 And he was writing an email to you and to Shannon and to
18 Paul, the -- three days after the arrest, saying: Team,
19 working with Good Morning America and need to verify some
20 facts.

21 Can you confirm this store was robbed at gunpoint
22 recently, if so, and when was that?

23 And the answers are actually Paul Sykes giving the
24 answers to these questions. Right?

25 So his answer is that store -- The store was robbed on

1 January 4, 2018. The person never brandished a weapon but
2 gave the illusion that he was concealing one in his pocket.

3 Then Mr. Borges asked: How often were drug overdoses,
4 homeless issues, thefts at the store and the surrounding
5 stores? Can you offer a ballpark figure or rate?

6 And Paul Sykes responds: I've had three overdoses that
7 resulted in death in my district in the last year-and-a-half.
8 In terms of the theft and homeless issue, it was common, so
9 that would be hard to come -- very hard to come up with.

10 I would say that every week there are at least three to
11 five theft issues occurring in any one of my stores and drug
12 use is also common. We would commonly find needles in the
13 restroom. The drug use decreased when we implemented Safe and
14 Welcoming training but there was still some instances.

15 And so you'd agree with me that these answers being
16 provided concerning drug overdoses and homeless issues were
17 being provided by Mr. Sykes and by Ms. Hymes -- I mean,
18 Ms. Phillips in response to requests by Starbucks. Correct?

19 Do you agree with that?

20 A. Correct. The question was, was the store robbed at
21 gunpoint. Yes.

22 Q. And then Ms. Phillips also responds back to Reggie and
23 provides some additional information about the district --
24 about the region in general, because Mr. Sykes could only
25 speak about one half of the city and Ms. Phillips had some

1 information that would apply also to the other half of the
2 city. Correct?

3 A. Correct.

4 Q. Again, this is in response to information being requested
5 by Starbucks, so they could prepare for an interview on Good
6 Morning America. Correct?

7 A. Yes.

8 Q. Let's look at Exhibit 15.

9 This is an email from Andrea Moudakis to you on April
10 26th, and it's titled Philadelphia Sustainment Plan.

11 She says to you: Camille, thank you for the connection
12 yesterday afternoon. I hope that your meeting with the BPN
13 partners went well.

14 And BPN partners is the Black Partners Network. Correct?

15 A. Correct.

16 Q. You'd agree with me that Ms. Phillips was actively
17 involved in the Black Partners Network at Starbucks. Correct?

18 A. Correct.

19 Q. As we discussed, I will focus P&AP support on not
20 creating duplicative work streams. Rather, we will support
21 Shannon's needs for short and long-term objectives surrounding
22 S&W --

23 Which means Safe and Welcoming. Correct?

24 A. Yes.

25 Q. The policy. Correct?

1 A. Correct.

2 Q. -- law enforcement resources, and a sustainable plan that
3 can be utilized in Baltimore and DC as well.

4 One of the successes from yesterday was identifying a
5 Philadelphia organization that looks promising in helping our
6 partners with non-emergency services and assistance with
7 public safety issues, homelessness, et cetera. I'm looking
8 forward to learning more about this today.

9 And then there is embedded pictures about possible
10 resources. Correct?

11 A. Correct.

12 Q. And then it says: Attached is the plan that Ronda and I
13 will be using to consult Shannon with today. We are also
14 meeting with Nathalie and Michael. As I mentioned, I will be
15 available in the city through the weekend in the event that a
16 crisis response team is required. If not necessary, I will
17 continue to work with the local partners on solidifying their
18 plan.

19 And then she attaches the plan, some agenda below on what
20 her travel schedule would be from Wednesday to Sunday, the
21 29th.

22 Do you see that?

23 A. I do.

24 Q. So in response to this email, did you ever say to Andrea:
25 Oh, no, no, no. No, we won't want Shannon for that position.

1 She's an utter and total failure when it comes to leadership,
2 and we can't have her be doing these things?

3 A. I'm sorry, you were asking me if I said that if Shannon
4 was an utter and total failure?

5 Q. Yeah. I'm asking that in response to Andrea Moudakis
6 laying out the plan to provide both short-term and long-term
7 support for Shannon and also having Shannon be integral to
8 this Philadelphia sustainment plan, did you call her off and
9 say: No, she's terrible?

10 A. This is the point -- the plan is actually for all of our
11 partners. This is a plan to address the safety concerns for
12 our partners. The focus wasn't on whether or not Shannon was
13 incapable in that moment when this email was received. The
14 focus was on using a collective to support our partners in a
15 crisis.

16 Q. Using our collective?

17 A. Our collective teams.

18 Q. Okay. The focus was on using our collective teams?

19 A. Or supporting our collective teams: our baristas, our
20 shift supervisors, our store managers. That was the focus.
21 So when I received this, that was not my reaction, so the
22 answer is no.

23 Q. Okay. Because, in fact, this email indicates that
24 Shannon would be integral in making sure that those that are
25 below her are safe in the stores when they're working.

1 Correct?

2 A. This is for all of our partners to react to, so our
3 district managers for implementation, for our store managers
4 for implementation, Shannon as the leader, of course, in that
5 moment, yes.

6 Q. Okay. And so what I'm just saying is did you respond to
7 Andrea and say: No need. Shannon is a horrible leader.
8 We're pulling her out of this, and she's not going to be
9 working in this anymore?

10 A. I would not use that language, no.

11 Q. It's my language, I know, but, I mean, paraphrasing,
12 would you say those --

13 A. No, that's not my language. That was not my
14 conversations.

15 My conversations were around the safety and security of
16 our partners, the care and concern for what Shannon was going
17 through in that moment.

18 We were managing moment by moment on how to support our
19 partners. The focus was literally on our partner safety. So
20 I was not reacting that way in -- after reading this email at
21 4:00 a.m. in the morning.

22 Q. All right. So you were okay with -- you didn't have any
23 objection to anything that was being stated in here --

24 A. No.

25 Q. -- as it pertained to Shannon?

1 A. No.

2 Q. This is an email from May 3rd, which is an email from
3 Ms. Phillips to Brett Battes, Subject: note to Philadelphia
4 SM.

5 And she is talking about sending a note. It says: We
6 are sending a note that we intend to send to our Philadelphia
7 store managers. Are you able to please review and let me know
8 if you feel this is in alignment with the direction we plan on
9 taking around Safe & Welcoming?

10 Do you see that?

11 A. Okay. And can you show me again who it was addressed to?

12 Q. Uh-huh.

13 A. Shannon to Brett Battes. Okay.

14 Q. Okay. So you recall around May 3rd this time that
15 Shannon was tasked by you to create an announcement to go out
16 to partners to advise them that folks are still working on
17 revising the Safe and Welcoming policy, and we hear your
18 concerns, and we are going to get something more formal out to
19 you at a later date, paraphrasing?

20 A. Okay.

21 Q. Do you recall that?

22 A. Yes.

23 Q. And so you had Shannon draft that message out to the
24 partners. Correct?

25 A. Yes.

1 Q. So as of May 3rd, had Shannon done something that was so
2 egregious, serious misconduct, that she should be terminated
3 as of May 3rd?

4 A. We were having conversations in terms of whether or not
5 Shannon was capable of running the market long term at that
6 time. An assignment of writing a note would not be an
7 indication of whether or not someone would continue in their
8 employment. They're still obligated to and responsible to
9 carry out duties.

10 So I would say at this point, there were conversations
11 around whether or not Shannon was the right leader for the
12 market, if that's the answer to your question, yes.

13 THE COURT: What's the exhibit number?

14 MS. MATTIACCI: The exhibit is 158, Your Honor.

15 BY MS. MATTIACCI:

16 Q. Mr. Battes forwards this on to Lisa Passe and says that
17 there is a request from the local Philadelphia leadership team
18 to send a message to stores. Given the tremendous sensitivity
19 to anything that is communicated to stores, would you partner
20 with Camille and her local team to guide appropriate wording,
21 content, and next steps?

22 Do you see that?

23 A. I do.

24 Q. Do you agree with Mr. Battes that at this time there was
25 tremendous sensitivity to anything that was communicated to

1 the stores?

2 A. Yes.

3 Q. And that was because they wanted to make sure that
4 anything that Starbucks said, even internally, wouldn't get
5 out to the public if they didn't want to have it get out to
6 the public?

7 A. I don't know if you can draw a correlation to it not
8 wanting to go to the public for a note to our store managers.
9 So I don't think that was the intent or what you're implying.

10 Q. Okay. Let's scroll up.

11 Ms. Passe responds: Hi guys - the only flag to change is
12 the first line, "As we removed the previously shared 'Safe &
13 Welcoming' procedures" as that isn't something we can have be
14 made public.

15 Do you see that?

16 A. I do.

17 Q. So would you agree with me now that in fact the reason
18 that there was tremendous sensitivity to anything communicated
19 to the stores was because Starbucks was really concerned about
20 something getting out to the public that they didn't want to
21 have out in the public. Correct?

22 A. I cannot draw that correlation. There was proper
23 sequencing. So whenever we draft a note to our store managers
24 or our partners, we want to make sure it gets out to them
25 first before it goes public.

1 Because what happens to our partners is that when it gets
2 to the public first and not to our partners, they're then to
3 answer to the media.

4 So in protection of our partners, we sequence.

5 So if -- what you're highlighting here is the proper
6 sequencing of our protocol.

7 Q. But in particular, she is concerned about having this
8 line shared with the public. As we previously -- as we
9 removed the previously shared Safe & Welcoming procedure.

10 Do you see that?

11 A. Yes.

12 Q. And so Starbucks did not want the public to know that
13 there was a Safe and Welcoming procedure in place as the
14 employees understood it, and just bury the Safe and Welcoming
15 so that was never something that came out to the public again.
16 Correct?

17 A. That's not true, no.

18 Q. Well, what would be the reason that this line needs to be
19 removed: As we removed the previously shared Safe & Welcoming
20 procedures, it isn't something we can have be made public.

21 What other reasonable explanation is there for that
22 sentence?

23 A. I don't have one. I really don't.

24 Q. Okay. You'd agree with me at this time Starbucks is
25 extremely concerned about their brand?

1 A. Absolutely.

2 Q. And this is the biggest hit to the brand in the history
3 of Starbucks, this event?

4 A. Correct. Yes.

5 Q. And you respond back to Ms. Phillips: Want to take
6 another shot at that line? With a smiley face emoji.

7 A. Yes.

8 Q. And so you put it back on Ms. Phillips to revise the
9 statement that was going out to the partners, make sure that
10 she removed the line that says "we removed the previously
11 shared Safe and Welcoming procedures" and put that out.
12 Correct?

13 A. That's what I wrote.

14 Q. You're putting a smiley face next to it. Right?

15 A. Correct.

16 Q. And is that an indication that you're mad or a friendly
17 emoji?

18 A. That is a friendly emoji.

19 Q. As of this time, are you ready to terminate Ms. Phillips?

20 A. I will answer as I did previously. At this time, we were
21 having conversations on whether or not this is the right role
22 for Shannon.

23 Q. But you never said to Ms. Phillips, your job is in
24 jeopardy, you're going to lose your job?

25 A. We had many conversations around whether or not this was

1 the right job for Shannon. We were exploring other
2 opportunities for her outside of region operations, as you
3 mentioned previously in your questioning for the community
4 impact role.

5 There was a lot of stress and a lot of tension. There
6 were absences in very critical calls. There were complaints
7 that were surfacing from our partners relative to the
8 management of the market.

9 This opened up a reveal to the way in which the market
10 was managed that we hadn't seen before.

11 Q. And I'm --

12 A. To your point for this specific email, it doesn't give an
13 indication of whether or not there is an immediate termination
14 or separation in this moment. We are managing moment by
15 moment.

16 Q. Okay. Is there any corresponding email around the May
17 3rd time frame that says, Shannon, you are failing, we are
18 looking, we need to terminate you, and laying out any
19 deficiencies in any way, shape or form?

20 Just asking as of that time.

21 A. We had multiple conversations on whether or not this was
22 the right fit for Shannon.

23 Q. I understand that. I am talking about terminating her
24 employment. Because Starbucks has how many jobs -- how many
25 employees? Hundreds of thousands of employees. Right?

1 A. Correct, yes.

2 Q. How many employees were you in charge of when you were
3 leaving?

4 A. 15,000.

5 Q. Yeah. So there could be a job for Shannon Phillips at
6 Starbucks if Starbucks wanted Shannon Phillips to have a job.
7 Correct?

8 A. Correct.

9 Q. But it was determined that she would be out on the street
10 and she would not have a job. Correct?

11 A. There was a severance package. Out on the street, I
12 don't necessarily know if I would frame it in that language.

13 Q. Well, she was terminated. It wasn't her choice.

14 A. There was a severance package, yes, correct.

15 Q. And the severance package included a release agreement
16 where she would promise not to sue Starbucks for any
17 discrimination or any other claims, correct, that she would
18 have to sign?

19 A. Correct.

20 Q. She would also have to sign a nondisclosure agreement and
21 be confidential about anything that happened at Starbucks.

22 Correct?

23 A. Correct.

24 Q. But she refused to sign it. Correct?

25 A. Correct.

1 Q. And she was terminated. Correct?

2 A. She also shared that she wanted to embarrass the brand
3 and that she was going to write a book and sue during the time
4 of termination, so yes.

5 Q. Well, that was after she had been terminated. Correct?

6 A. No. This was the conversation during the termination.

7 Q. You had already decided to terminate her. Correct?

8 A. This is during the conversation.

9 Q. You're talking about on the 8th?

10 A. I don't know the exact date of separation, so...

11 Q. You'd agree with me that the decision to terminate was
12 made on the 4th. Correct?

13 A. As I shared with you earlier, I'm so sorry, but I
14 don't -- I did not keep every single date on the calendar from
15 five years ago in my memory. So we're going through the
16 calendar.

17 Q. So are you saying at the time that you presented her with
18 the severance package, and she was upset, correct, when you
19 did that?

20 A. That is correct, yes.

21 Q. She was very upset? Correct?

22 A. Very upset.

23 Q. And she was very shocked. Correct?

24 A. She was in denial.

25 We had -- this is the actual -- the point is that that

1 there was a separation of ownership and accountability. And
2 so instead of focusing in on the partners and the critical
3 dimensions and the aspects of the partners, it was about her
4 and what -- whether or not her brand was damaged, whether or
5 not there was an opportunity for her to go into a different
6 role.

7 And so when we had all of those conversations, it seemed
8 as if when we were having the separation conversation, that
9 she was very much aware that that conversation was going to
10 happen. She had actually called me prior to --

11 Q. Ms. Hymes, I don't mean to cut you off.

12 MS. MATTIACCI: Objection, nonresponsive, Your Honor.
13 She's going to have an opportunity on direct to say whatever
14 she wants to say.

15 MR. HARRIS: It was directly responsive to counsel's
16 question.

17 THE COURT: All right. Move on.

18 MS. MATTIACCI: It was not.

19 THE COURT: Go ahead. Ask your next question.

20 MS. MATTIACCI: Thank you, Your Honor.

21 BY MS. MATTIACCI:

22 Q. Let's look at 90.

23 This is May 3, 2018. And this is from you to your boss,
24 Zeta. Zeta Smith. Correct?

25 A. Yes.

1 Q. And you say: Passing this along for your review prior to
2 your connection with Rossann.

3 So it's Zeta having a conversation with Rossann Williams.

4 It's important to note that she asked that I send this to
5 her directly ASAP. Please let me know if it's okay to send
6 before 11:00 p.m. PST.

7 And this is a draft that would go to Rossann. And in it,
8 this is you on May 3rd. You have a plan for additional
9 Philadelphia support.

10 Do you see that?

11 A. I do.

12 Q. And on the second page of the plan, you have rotation of
13 office hours.

14 Do you see this here?

15 A. Yes.

16 Q. One day per week in the market, office hours every
17 Wednesday, rotation between Camille, Nathalie and Shannon.

18 Do you see that?

19 A. I do.

20 Q. So as of May 3rd, you still had Ms. Phillips in your
21 plans, so much so that you were forwarding it up the chain to
22 two down from the CEO of Starbucks. Correct?

23 A. When a person is in position and a market is in crisis,
24 you plan for the leader who is in the role, using their name.
25 You do not then determine, prior to having a conversation with

1 the employee or the partner that will be separated, that they
2 are not a part of the plan.

3 So the responsibility to create continuity and
4 consistency in our partners in the way in which we build our
5 plans is to frame it up in the existing moment. So that is
6 correct.

7 Q. Okay. Let me scroll up.

8 Same day, May 3rd, Zeta Smith to you.

9 Would eliminate Shannon from these action plans. Would
10 add that your peer VPs be rotating in market throughout the
11 next 45 days. We can leverage Christa and her peer team.
12 Would get Marcus in as quickly as possible based on his
13 experience in crisis situations. Would also make note of what
14 you will be doing post the training on May 29th. I plan to
15 travel in that week to support. That part of your document
16 does not have to be detailed but want to demonstrate that you
17 are thinking ahead.

18 Do you see that?

19 A. Uh-huh, yeah. That is my boss saying that we need to go
20 in a different direction.

21 Q. And she is saying: To eliminate Shannon from the plan.
22 Even though you just testified that you would never eliminate
23 a person who is sitting in the position from a plan if they
24 still have the position.

25 A. That is the way I wrote it during that time but this

1 actually demonstrates that the supervisor accelerated or
2 decided that that was not the plan or the approach.

3 Q. And so as of May 3rd, Zeta Smith had decided she's out.
4 Correct? Ms. Phillips?

5 A. We were having conversations, as I testified, all along,
6 including the conversation with Shannon on whether or not she
7 was the right fit.

8 So yes, it was not Zeta Smith's decision. It was
9 collective as I had mentioned earlier.

10 Q. Well, according to this email, Zeta Smith decided, would
11 eliminate Shannon from these action plans after you had
12 included her in the action plans?

13 A. Yeah. That's the action plans.

14 We were in, again, a crisis. We were working on four to
15 five hours of sleep. We were moving through every single day
16 evaluating feedback from our partners, evaluating the way in
17 which people were showing up as leaders. We were making
18 plans, we were making adjustments.

19 So it was a very fluid and concerted effort to do the
20 very best that we could in the moment. And that means
21 sometimes that plans change.

22 Q. And that somebody has to be terminated immediately?

23 A. That was not an immediate decision. That was over the
24 course of the time that you've outlined in the calendar, where
25 we did not feel confident that Shannon could carry forward

1 even post repair of the market.

2 Q. Let's look at 140. This is an email that Shannon
3 Phillips sends to you on Monday, May 7th.

4 And these are Monday morning updates that she would send
5 every week. Correct?

6 A. Yes.

7 Q. And she's including in there an email GA card or a
8 thank-you card that she received from one of her colleagues.
9 Correct?

10 A. Correct.

11 Q. And she's reporting to you that in terms of her finances,
12 correct, because she had responsibility for a financial
13 portfolio. Correct?

14 A. Yes.

15 Q. And she did well, correct, there were sales of 2.726
16 million dollars in just one week. Correct?

17 A. Correct.

18 Q. That was up 6 percent from the week before. Correct?

19 A. Total -- yes. So the comp was last week was down 1.3,
20 yes. It's down 1.3. Total revenue is plus 6 percent, so
21 there were maybe new stores in there.

22 Q. There was a projection for the following week of
23 2.73 million. Correct?

24 A. Correct.

25 Q. And there was a lot of people coming into the city at

1 this time. Correct? May 3, May 4th, May 5th, from Seattle?

2 A. Yes.

3 Q. High-ups. Correct? High-level executives?

4 A. Every level was coming in.

5 Q. Everyone, including the CEO?

6 A. Yes.

7 Q. And you're aware that Howard Schultz and Rosalind Brewer
8 visited Morehouse College on May 3rd and did a talk there that
9 included discussions about diversity and bias training?

10 A. I was not aware, no. But if it's on the public record,
11 then yes.

12 Q. Okay. You'd agree with me that race in general was
13 something that was top of mind in Starbucks throughout this
14 time period. Correct?

15 A. Absolutely. Unconscious bias. Yes.

16 Q. And that was discussed about how to improve interactions
17 and communications with folks and make sure that they
18 understand that implicit bias exists and it can impact
19 decision-making. Correct?

20 A. And unconscious bias.

21 Q. Yes. That's what I said. Unconscious bias.

22 A. Implicit bias is what you said.

23 Q. Implicit bias or unconscious bias.

24 And you agree with me that at the time that the decisions
25 are being made about Shannon Phillips and in particular when

1 she is terminated, her race is something that is in the minds
2 of the decision-makers at that time. Correct?

3 A. Absolutely false. It is actually offensive that that's a
4 question, because the decisions that are made for all 15,000
5 partners are based on the behaviors of a partner. It is not
6 based on race.

7 Now, our store manager made the decision to arrest two
8 African American men who were not aggressive or demonstrating
9 foul behavior in the store while there were other people that
10 were sitting in that store.

11 That was a concentrated moment to best understand how we
12 could support not only our customers but our partners, and
13 somehow Shannon is the victim here. And it is unusual to --
14 it's just, again, emblematic of why we're sitting here five
15 years later having a conversation where the two men that were
16 arrested or the partners that went through a struggle, all of
17 that has never been the focus in Shannon Phillips's mind. It
18 has always been about Shannon Phillips.

19 I could not move forward with a leader who was so focused
20 on themselves and not focused on how to address the issues in
21 the market.

22 Q. Ms. Hymes, did it ever cross your mind that Ms. Phillips
23 wasn't getting it because she was white?

24 A. Never crossed my mind that her skin -- whatever is on her
25 skin was -- would be a factor in her performance.

1 Q. You'd agree with me that not in her performance, in your
2 evaluation of her performance?

3 A. No. I am -- if you want to check my DNA, I am half white
4 and I'm half black. So my evaluation is very balanced. If
5 you're getting to a point where I, as whatever color that I
6 am, evaluating Shannon as to whatever color she is, it's
7 absurd and offensive to think that someone would be fired
8 because of the color of their skin, specifically in this
9 situation.

10 Q. Implicit bias, isn't the whole premise that we should not
11 be colorblind, that in fact we should recognize that folks are
12 of different colors, and with that recognition, recognize our
13 own biases that are filtered through our brains based upon
14 stereotypes of whatever that is, and make sure that we are not
15 making decisions based upon those implicit biases. It's a
16 recognition of the race of the other person.

17 You'd agree with me. Correct?

18 A. I would agree of your definition of unconscious bias.

19 Q. Correct. And so for someone to say that they never see
20 color or that they are colorblind, that is something that
21 would be indicative that they are not conscious that there
22 could be implicit bias. Correct?

23 A. For this specific situation, unconscious bias was not a
24 factor.

25 Q. Okay. I'm just asking in generally.

1 In general, if somebody were to say I'm colorblind, I do
2 not see color, you'd agree with me then that that person is
3 not recognizing the fact that implicit bias could exist.

4 Correct?

5 A. I don't know. I don't know how to answer that question.

6 Q. Okay. And so you're saying the issue of Shannon
7 Phillips's race never entered your mind whatsoever when you're
8 making the decision to terminate her?

9 A. A hundred percent. A hundred percent.

10 Q. And the issue of Mr. Sykes's race being black would never
11 enter your mind, not once, when making a decision not to
12 terminate for him any of the leadership issues that were
13 identified?

14 A. A hundred percent. As I mentioned at the very top of
15 this testimony, the decisions that I made were based on
16 behavior.

17 Based on behavior of whether or not these leaders
18 specifically could manage our partners through a crisis, if
19 they were making the proper decisions, had ownership and
20 accountability, that they were able to address the partners'
21 needs and that they were actually showing up in the way in
22 which our partners were asking.

23 And in all three of those instances, color of skin had
24 nothing to do with it. And as we sit here today, five years
25 later, again, there is a lack of accountability in terms of

1 what was going on in that market and the conversation today is
2 about the color of someone's skin.

3 It is offensive.

4 Q. Okay. How about with the higher-ups in Starbucks that
5 you were talking to? You identified Zeta, Rossann, Frisch,
6 Nathalie, Paul Pinto. When you're having these conversations
7 with them about firing Shannon in this climate, the idea she
8 was white and being fired in the aftermath of April 12th, was
9 never something that was ever discussed?

10 A. A hundred percent, her race was never a part of the
11 conversation. Whether or not it would be a risk to the
12 organization or not, it was behavior. The conversation around
13 race never came up. For Paul or anyone else.

14 I lead 15,000 partners. The leaders that were at
15 Shannon's level, I had six directors. Jen Pivarnik, white
16 female. Shannon Phillips, white female.

17 Marcus Eckensberger, white male. TJ Wolfersberger, white
18 male. Phillip Laws, black male. I'm missing one. I think
19 that's all of them.

20 When Shannon was separated, terminated, however you would
21 like to phrase it, the replacement for Shannon were two white
22 Americans.

23 Q. We understand that.

24 A. Do you?

25 Q. Yes. We've had testimony.

1 So let me just ask the next question. Okay?

2 You understand that when Ms. Phillips was in that role,
3 that her -- that the focus of her job was to support the
4 partners while also supporting the business. Correct?

5 A. Her focus was a hundred percent on the partners during
6 this time.

7 Q. And not the business at all, are you saying?

8 A. No, I'm not. I mean, it's not a -- it's not black or
9 white. It's not extreme as you're describing.

10 Our primary focus at the time was the care of our
11 partners.

12 Q. Okay. And there were lots of emails that were exchanged
13 during this time?

14 A. Correct.

15 Q. You'd agree with me?

16 A. Yes.

17 Q. Amongst any of those emails and in the preparation that
18 you did for your testimony today, have you seen any email or
19 document that went to Ms. Phillips outlining any sort of
20 deficiencies at all?

21 A. Emails to Shannon on deficiencies?

22 Q. Yes.

23 A. There were multiple conversations.

24 Q. I understand that, Ms. Hymes. I'm asking specifically
25 about written documents.

1 A. No.

2 Q. Okay.

3 A. No.

4 Q. And there's also -- there's a corrective action program
5 in place in Starbucks. Right? That could be utilized to help
6 somebody improve their performance. Correct?

7 A. That is correct.

8 Q. There could be a performance improvement plan that could
9 be used. Correct?

10 A. Not in a crisis.

11 Q. Okay. So that's off the table in a crisis?

12 A. In a crisis there is no progressive discipline, there is
13 no written warnings. You are in a crisis to protect your
14 partners and to ensure that you have the best leader that
15 could lead through a crisis.

16 That is what I chose to do.

17 Q. Okay. And Ben Trinsey was suspended as part of this on
18 the same -- the day before that Ms. Phillips was terminated.
19 Correct?

20 A. I don't recall the sequence in dates.

21 Q. There's a thing called coffee break at Starbucks.

22 Correct?

23 A. Correct.

24 Q. And Starbucks would be a sabbatical (sic). Correct?

25 A. Yes.

1 Q. And somebody could go out on the sabbatical for three
2 months, six months and even a year and then come back to
3 Starbucks. Correct?

4 A. Correct.

5 Q. During that time their benefits would be protected?

6 A. Correct.

7 Q. So if there was this need right now to get Shannon
8 Phillips out for some reason, they could have offered her a
9 coffee break. Correct?

10 A. Correct.

11 Q. But that was not done for her?

12 A. No, it was not.

13 Q. Is that because she was such a failure in her role?

14 A. A person could ask for a coffee break if they wanted.

15 The decision to move away from when people are not fulfilling
16 their leadership obligations was not to offer a coffee break.

17 So that has been seen -- that has been a practice in the
18 past, but as we -- I would say within the last five years or
19 so, coffee breaks were not an option for people who were
20 underperforming.

21 Q. You'd agree with me that there were a lot of people very
22 upset after Ms. Phillips was terminated. Correct?

23 A. I'm sure.

24 Q. And you were aware of that personally. Correct?

25 A. I knew that Shannon had personal relationships with many

1 of her partners. Yes.

2 Q. And the news of her being separated caused a lot of upset
3 for those partners. Correct?

4 A. I would say that's not correct. I would say the vast
5 majority of partners were not in a position where they were
6 focused on Shannon Phillips. They were not talking about
7 Shannon after her departure.

8 In fact, many of the partners were sharing that they,
9 while they liked Shannon Phillips very much, were appreciative
10 of the new leader. They had confidence they would be taken in
11 a direction where they were safe and protected. Or there was
12 presence, leadership presence that could bring them through.

13 I would say the majority of feedback was in that space.

14 So I'm not exactly sure, when you're saying that there
15 were a lot of partners who were upset at the departure of
16 Shannon.

17 Now, Shannon -- I don't want to discredit Shannon because
18 Shannon did a lot for our partners. She was a leader who
19 cared very deeply. Developed very personal relationships,
20 would have them at her home.

21 Many of them had described that their relationships
22 actually circumvented the professional level. So there was a
23 deep connection there. But they also understood the business
24 need for the separation. And supported that.

25 Q. All right. Let's take a look.

1 A. Great.

2 Q. Exhibit 129.

3 A. Uh-huh.

4 Q. This is the organizational announcement, Starbucks'
5 announcement, of the termination of Shannon Phillips. It went
6 out to all the Mid-Atlantic partners.

7 Effective immediately, Shannon Phillips, regional
8 director for area 71, will be pursuing other employment
9 interests outside of Starbucks coffee company.

10 Please join me in saying thank you to Shannon for
11 building meaningful relationships with partners and
12 communities in her 13 years of service. We wish her all the
13 best in her future endeavors.

14 And then it lays out a plan for coverage going forward.

15 Do you see that?

16 A. I do.

17 Q. But it wasn't true that it was her decision to leave to
18 pursue other opportunities?

19 A. I don't believe that it says that it was her decision in
20 this memo, so I'm not sure if you could give more context to
21 your question.

22 Q. You don't think that the implication here for somebody
23 who doesn't know any better would be that she left to pursue
24 other opportunities on her own?

25 A. I don't think that is explicit in this email, that you're

1 asking me.

2 Q. Okay. You then forward that to some people and say:
3 Please do not forward. The distribution of this memo is
4 intended as a reference for you, your key talking points
5 during your SM or store manager calls. An official
6 announcement will be published after 5:00 p.m. today.

7 Do you see that?

8 A. Yeah. We call that a TikTok.

9 So we make sure that the people who are most affected
10 first learn of their direct supervisors that are leaving so
11 that there's a cascade -- excuse me. That there's a cascade
12 so that people don't learn either their supervisor is leaving
13 before their supervisor gets to tell them or their direct
14 reports, if that's what you're asking.

15 Q. So Tim Osevala, who is a district manager in the
16 Philadelphia area, says: Good afternoon, Camille, wanted to
17 report in that I have spoken with all store managers within
18 district 1080 regarding the announcement. One item that did
19 come up from a couple of the managers was an interest in any
20 way to pass along notes of thanks to Shannon for her
21 leadership over the years. I advised I would bubble that
22 forward for consideration.

23 Do you see that?

24 A. Yes.

25 Q. Did you allow notes of thanks to go out to her after her

1 termination?

2 A. Of course. I don't see that would be rejected.

3 Q. Oh, did you respond back? Because I don't see a
4 response.

5 A. I couldn't even remember if I did or not, so it would be
6 helpful, but I would never say, notes of appreciation could
7 not go to Shannon.

8 Q. Isn't it true that within a couple days of the
9 termination, that you went out and personally connected with
10 the district managers in her area?

11 A. Every day -- I literally moved away from my family to
12 Philadelphia. And I connected with the partners every day.
13 So I don't know what day you might be referring to.

14 Q. Okay. So I'm talking about in particular the initial
15 reactions and sentiment, sentiment in response to Ms. Phillips
16 being terminated.

17 Isn't it true that when you spoke to Mr. Osevala, that he
18 was personally saddened by the termination of Ms. Phillips?

19 A. I'm sure.

20 Q. And that when you spoke to Delma Wells, she was angry.
21 She thinks the separation is due to the April 12th incident.

22 Do you see that?

23 A. I don't see it on here but it's okay.

24 Q. I don't have it up there, but you recall that?

25 A. I do recall that.

1 THE COURT: I'm just wondering if we could break at
2 this point.

3 MS. MATTIACCI: Yes, Your Honor.

4 THE COURT: It's now a little later than I like to
5 break, but we want the case to move along.

6 And members of the jury, we'll see you back at 9:15
7 tomorrow morning, and I know I sound like a broken record when
8 I give you these words of caution about don't speak to anybody
9 outside the courtroom about the case, even at home.

10 Also, don't talk about the case among yourselves and
11 don't do any independent research. I know when I use the
12 expression "like a broken record," I'm probably dating myself.
13 But in any event, don't discuss the case.

14 More evidence to come. We always expect the jury to
15 keep an open mind, and have a good evening. And we'll see you
16 back tomorrow morning.

17 MR. HARRIS: Judge, after the jury gets excused, I
18 may have something.

19 (Jury out.)

20 THE COURT: Yes.

21 MR. HARRIS: Your Honor, I need to speak to Ms. Hymes
22 specifically about her scheduling. As you know, she just
23 became the chief operating officer of Smoothie King and so the
24 expectation was -- she just started on Monday, so the
25 expectation was she would be able to go back to Dallas

1 tomorrow, but since she's on the stand I need to talk to her
2 about scheduling. That's it.

3 THE COURT: All right. You can talk to her about
4 scheduling but not about her testimony.

5 MR. HARRIS: Yes.

6 THE WITNESS: Thank you.

7 THE COURT: Okay. How much more time do you think
8 you have?

9 MS. MATTIACCI: Not long, Your Honor, maybe like a
10 half an hour.

11 THE COURT: And direct?

12 MR. HARRIS: Maybe an hour to an hour-and-a-half.

13 THE COURT: Okay. So we start at 9:15. Sometimes we
14 start a little later, but you can get an idea of when you'll
15 be excused.

16 THE WITNESS: Thank you.

17 MR. HARRIS: Thank you.

18 THE COURT: We'll stand in recess.

19 (Proceedings concluded at 4:41 p.m.)

20 - - -

21 I certify that the foregoing is a correct transcript
22 from the record of proceedings in the above-entitled matter.
23

24 /S/ Ann Marie Mitchell 7th day of June, 2023
25 Court Reporter/Transcriber Date